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# JOURNAL

Of the Honorable House of

## REPRESENTATIVES

Of His Majesty's Province of the

### *Massachusetts-Bay,*

I N

### New-England,

Begun and held at BOSTON, in the County of  
SUFFOLK, on Wednesday the Thirty-first Day of  
*May*, Annoque Domini, 1769.



B O S T O N, *New-England :*

Printed by EDES and GILL, Printers to the Honorable  
House of REPRESENTATIVES,  
M,DCC,LXIX.

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A

## JOURNAL

Of the Honorable House of

## REPRESENTATIVES,

At a Great and General Court or Assembly for His Majesty's Province of the *Massachusetts-Bay* in *New-England* : Begun and held at *Boston*, in the County of *Suffolk*, upon Wednesday the Thirty-first Day of *May*, being the last Wednesday of said Month, *Annoque Domini*, 1769.

THE Honorable *Samuel Danforth*, *Benjamin Lincoln*, *Harrison Gray*, *James Russell*, and *Nathaniel Ropes*, Esq's; came down from the Council Board, and acquainted the House, that his Excellency the Governor had authorized and appointed them to administer the Oaths required by Act of Parliament to the Members respectively ; and that the Members were directed to take the Oath of Abjuration, and subscribe the Declaration before them : Which was accordingly done by all the Members present.

And then the said Gentlemen withdrew.

*James Otis*, Esq; was desired to go to the Secretary's Office for the Writs and Precepts for the Choice of Representatives, and lay them before the House.

And the same was done by him accordingly.

Upon Examination of the Writs and Precepts it appeared that the following Gentlemen were returned to represent the several Towns in the General Assembly within the Province, *viz.*

For

For the County of SUFFOLK.

Boston, { Hon. James Otis, Esq;  
Hon. THOMAS CUSHING Esq;  
(Speaker.)  
Mr. Samuel Adams  
Roxbury, John Hancock, Esq;  
Dorchester, Mr. Samuel Howe  
Milton, Mr. Benjamin Wadsworth  
Braintree, Ebenezer Thayer jun. Esq;  
Weymouth, James Humphrey, Esq;  
Hingham, Mr. Joshua Herley  
Dedham, Mr. Nathaniel Sumner  
Medfield, Mr. Moses Bulling  
Wrentham, Mr. Jabez Filder  
Brookline, Mr. Ebenezer Davis  
Needham, Capt. Eleazer Kingbury  
Stoughton & Stoughtonham D. } Mr. Hezekiah Gay  
Medway, Capt. Jonathan Adams  
Bellingham,  
Hull,  
Walpole, Capt. Seth Kingsbury  
Chelsea,

For the County of ESSEX.

Salem, { Capt. Richard Derby, jun.  
Mr. John Pickering, jun.  
Danvers, Dr. Samuel Holten  
Ipswich, Capt. Michael Farley  
Newbury, Joseph Gerrilla, Esq;  
Newbury Port, Capt. Jonathan Greenleaf  
Marblehead, { Joshua Orne, Esq;  
John Gallison, Esq;  
Lynn, Mr. Ebenezer Burrill  
Andover, Samuel Phillips, Esq;  
Beverly, Capt. Henry Herick  
Rowley, Humphrey Hobson, Esq;  
Salisbury, Caleb Cushing, Esq;  
Haverhill, Mr. Samuel Bacheller  
Gloucester, Thomas Sanders, jun. Esq;  
Topsfield, Capt. Samuel Smith  
Boxford, Aaron Wood, Esq;  
Abingbury, Isaac Merrill, Esq;  
Bradford, Benjamin Mulliken, Esq;  
Wenham,  
Middleton,  
Manchester,  
Methuen,

For the County of MIDDLESEX.

Cambridge, Mr. Thomas Gardner  
Charlestown, Edward Sheaffe, Esq;  
Watertown, Mr. John Remington  
Woburn, Mr. Oliver Richardson  
Concord, Capt. James Barrett  
Newton, Capt. Abraham Fuller  
Reading, Mr. Samuel Bancroft  
Marlborough, Mr. Samuel Witt  
Ellerica, William Stickney, Esq;  
Frammingham, Joseph Buckminster, Esq;  
Lexington, William Reed, Esq;  
Chelsea, Mr. Simeon Spaulding  
Sherburne, Mr. Jonathan Russell  
Sudbury, John Noyes, Esq;  
Malden, Capt. Ebenezer Harnden  
Weymouth, Mr. Abraham Bigelow  
Medford, Stephen Hall, Esq;  
Littleton, Capt. Joseph Harwood  
Hopkinton, Capt. Joseph Mellen  
Wellesford, Capt. Jonas Prescott  
Waltham, Capt. Jonas Dix  
Stow, Henry Gardner, Esq;  
Grafton,  
Shirley D. } James Prescott, Esq;  
Pepperell D. }  
Townsend, & Ashby, } Mr. Amos Whitney  
Stonham,  
Wilmington,  
Natick,  
Dracut,  
Bedford,  
Holliston, Mr. Joshua Hemenway  
Tewksbury, Dunstable, Alton, Lincoln,

For the County of HAMPSHIRE.

Springfield & Mr. Jonathan Bliss  
Willyabam, { Major Benjamin Day  
Northampton, & Joseph Hawley, Esq;  
Southampton,  
Hadley,  
South-Hadley D. } Simeon Strong, Esq;  
Amherst, Mr. Eliza Porter  
Granby,  
Hatfield, Hon. Israel Williams, Esq;  
Weyfield, Capt. John Moseley  
Dorchester, { Elijah Williams, Esq;  
Greenfield, D.  
Shelburne, D.  
Conway, D.  
Sunderland, } Mr. William Billing  
& Montague,  
Northfield,  
Brimfield, } Mr Timothy Danielson  
Soutb-Brimfield,  
& Monson,  
Pelham,  
Greenwich,  
Blanford,  
Palmer,  
Granville,  
New-Salem,  
Belcherston,  
Colrain,  
Ware,  
Enfield,  
Somers,  
Warwick,  
Bernadston,  
Murrayfield,  
Charentmont,  
Shutebury,  
Chesterfield,  
Suffield, Ashfield, Worthington,

For the County of PLYMOUTH.

Plymouth, James Warren, Esq;  
Scituate, Mr. Gideon Vinall  
Duxbury, Capt. John Wadsworth  
Marshfield, Capt. Anthony Thomas  
Bridgewater, Capt. Edward Mitchell  
Middleborough, Capt. Benjamin White  
Rockeford, Mr. Samuel Sprague  
Plymton, Capt. John Bradford  
Pembroke,  
Kingston, William Sever, Esq;  
Hanover,  
Abington, Capt. Woodbridge Brown  
Hallyax,  
Warham,

For the County of BARNSTABLE.

Barnstable, Hon. James Otis, Esq;  
Sandwich, Mr. Stephen Nye  
Yarmouth, David Thacher, Esq;  
Eastham, & Mr. Thomas Paine  
Wellsfleet, } Eliza Doane, Esq;  
Harwich, Chillingworth Foster, Esq;  
Falmouth, Capt. Joseph Robinson  
Chatham, Mr. Joseph Doane  
Truro,  
Province-Town.

For the County of BRISTOL.

Taunton, { James Williams, Esq;  
Daniel Leonard, Esq;  
Rehoboth, Capt. James Clay  
Swanzy with } Jerahmeel Bowers, Esq;  
Shawmut,  
Dartmouth, Mr. Walter Spooner  
Norton, Dr. George Wheaton  
Attleborough, Mr. John Daggett  
Dighton, Col. Elnathan Walker  
Freetown, Mr. Thomas Durfee  
Raynham, Zephaniah Leonard, Esq;  
Easton, Berkley,

For the County of YORK.

York, Thomas Bragdon, Esq;  
Kittery, James Gowen, Esq;  
Wells, John Wheelwright, Esq;  
Berwick, Benjamin Chadburne, Esq;

Arundell,  
Biddeford, & } Jeremiah Hill, Esq;  
Pepperellborough  
Narraganset Number One,  
Lebanon,  
Sandford,

For the County of DUKES-COUNTY.

Edgarton,  
Culimark,  
Tisbury,

For the County of NANTUCKET.

Sherburne, Mr. Stephen Husley.

For the County of WORCESTER.

Worcester, Mr. Joshua Bigelow  
Lancaster, Capt. Asa Whitcomb  
Mendon, Mr. Edward Rawfon  
Woodstock,  
Brookfield, Jedediah Foster, Esq;  
Oxford & } Edward Davis, Esq;  
Charlton,  
Sutton, Capt. Henry King  
Leicester,  
Spencer D. } Mr. Thomas Denny  
Faxon D.  
Rutland,  
Rutland D. } John Murray, Esq;  
Oakham,  
Hubbardston

New-Braintree, Timothy Brigham, Esq;  
Westborough, } Capt. Stephen Maynard  
Northborough,  
Shrewsbury, Artemas Ward, Esq;  
Lunenburg, } Edward Hartwell, Esq;  
Fitchburg,  
Uxbridge, Capt. Ezekiel Wood  
Harvard, Israel Taylor, Esq;  
Dudley,  
Bolton, John Whitcomb, Esq;  
Upton,  
Sturbridge, Moses Marcy, Esq;  
Leominster,  
Hardwick, Hon. Timothy Ruggles Esq;  
Holden,  
Westerly,  
Douglas,

Grafton, Mr. Ephraim Shearman  
Petersham, Mr. Theophilus Chandler  
Royalston,  
Westminster,  
Ashby,  
Templeton,  
Princeton,  
Ashburnham,  
Winchendon,

For the County of SUMMERLAND.

Falmouth & } Jedediah Probble, Esq;  
Cape Elizabeth,  
North-Yarmouth,  
Scarborough, Mr. John Steward  
Brunswick,  
Gorham, Solomon Lombard, Esq;  
Hartsville,  
Windham,  
Pierston,

For the County of LINCOLN.

Powallborough,  
Georgetown,  
Newcastle,  
Topsham,  
Bowdoinham,  
Woolwich,  
Boothbay, Bristol.

For the County of BERKSHIRE.

Sheffield,  
Great-Barrington, } John Ashley, Esq;  
and Egremont,  
Stockbridge, Timothy Woodbridge Esq;  
Pittsfield, Capt. Charles Goodrich  
New-Marlbrough,  
Richmont, & Lenox, Tyringham,  
Lanesborough, Sandisfield,  
Williamstown, Becket.



Upon a Motion made and seconded, the following Order was pass'd, viz.

*WHEREAS* the Great and General Court or Assembly of this Province is here convened by his Majesty's Writ, issued by the Governor under the Great Seal of the Province: And whereas a Standing Army is now posted in this Metropolis, and a Military Guard is kept with Cannon pointed at the very Door of the State-House, where this Assembly is held:

ORDERED, That Mr. Otis, Capt. Sheaffe, Mr. Adams, Major Hawley and Mr. Cushing, be a Committee to prepare and bring in a Message to the Governor of the Province, remonstrating to his Excellency, that such an armed Force is a Breach of Privilege; and praying that he would give Orders for the Removal of the same out of the Town, during the Session of the said Assembly.

The Committee appointed to prepare a Message to his Excellency the Governor, made the following Report.

*May it please your Excellency,*

**T**HE Great and General Court or Assembly of this Province being once more convened by Virtue of the Authority with which you are invested by the Royal Charter: The House of Representatives think it their indispensable Duty, under the present Aspect of Affairs in the Province, on their Part to Claim that constitutional Freedom which is the Right of this Assembly, and is of equal Importance with its Existence.

Message to his Excellency.

We take this Opportunity to assure your Excellency, that it is the firm Resolution of this House: To promote to the utmost of their Power the Welfare of the Subject, and support his Majesty's Authority within this Jurisdiction: To make a thorough Enquiry into the Grievances of the People, and have them redress'd: To amend, strengthen and preserve the Laws of the Land: To reform illegal Proceedings in Administration, and support the public Liberty. These are the great Ends for which this Court is assembled.

A Resolution so important, *demands* a Parliamentary Freedom in the Debates of this Assembly: We are therefore constrained thus early to Remonstrate to your Excellency, that an Armament by Sea and Land, investing this Metropolis, and a military Guard with Cannon pointed at the very Door of the State-House, where this Assembly is held, is inconsistent with that Dignity, as well as that Freedom, with which we have a Right to deliberate, consult and determine.

The Experience of *Ages*, is sufficient to convince, that the Military Power is ever dangerous, and subversive of a *free* Constitution.

The History of our own Nation affords Instances of Parliaments which have been led into mean and destructive Compliances, even to the surrendering their Share in the supreme Legislative, through the Awe of Standing Armies.

His Majesty's Council of this Province have publickly declared, that the Military Aid is unnecessary for the Support of Civil Authority in the Colony: Nor can *We* conceive that his Majesty's Service requires a Fleet and Army here, in this Time of the most profound Peace.

We have a Right to expect, that your Excellency will, as his Majesty's Representative, give the necessary and effectual Orders, for the Removal of the above-mentioned Forces, by Sea and Land, out of this Port and the Gates of this City, during the Session of the said Assembly.

Read and accepted, and *Ordered*, That Mr. *Hancock*, Mr. *Cushing*, Col. *Williams*, Capt. *Sheaffe*, Col. *Warren*, Col. *Murray* and Mr. *Hall*, be a Committee to carry the same to his Excellency the Governor.

The said Committee waited on the Governor accordingly, and returned, that they had delivered the Message; and that his Excellency was pleased to say, that he would consider the same as a Message from the House, and send an Answer, when a Speaker shall be chosen, and in the Chair of the House.

It was then moved that this House come to some Resolution, and enter a Protest, before they proceed to the Elections of the Day. And thereupon Col. *Otis*, Col. *Bowers*, Mr. *Adams*, Mr. *Cushing*, and Col. *Warren*, were appointed a Committee to prepare a Resolve or Resolves accordingly.

The said Committee reported the following Resolutions, *viz.*

Resolves reported.

**WHEREAS** their late Majesties King WILLIAM and Queen MARY, in the Third Year of their Reign, did by their ROYAL CHARTER ordain and grant for themselves, their Heirs and Successors, that on the last Wednesday in the Month of *May* every Year, there should be convened, held and kept by the Governor of this Province for the Time being, a Great and General Court or Assembly, for such important Purposes as in the said *Royal Charter* are expressly mentioned.

And in the said Charter it is particularly established and ordained, that yearly once in every Year forever thereafter, the Number of Eight and Twenty Councillors or Assistants shall be by the General Court newly chosen: Which Election of Councillors or Assistants by the General Assembly, as well as the Election of a Speaker and Clerk of the House of Representatives by said House, have been always made, on the said last Wednesday in *May* annually.

And whereas the said Great and General Court or Assembly is now convened by the Authority of his Majesty, according to the said Royal Charter:

**RESOLVED**, That this House as one Branch of the same, in Duty and Loyalty to His Majesty as well as in Regard to their own just Rights and Privileges, will to the utmost of their Power support and maintain a constitutional Freedom in their Elections, Debates and Determinations.

**RESOLVED,**



RESOLVED, As the Opinion of this House, that the keeping an armed Force by Sea and Land in this Metropolis and in the Port of the same, while the General Assembly by his Majesty's Command is here conven'd, is a Breach of Privilege ; and inconsistent with that Dignity and Freedom with which they have a Right to deliberate, consult and determine.

RESOLVED, That this House proceed to take their Part in the Elections of the Day *from Necessity*, and in strict Conformity to the Royal Charter : Having *before* claim'd their Constitutional Freedom ; and *now* PROTESTING, that their thus proceeding, while the above-mention'd Forces are suffer'd to remain in the Metropolis where this Court is conven'd, is not to be consider'd as a *Precedent* in any Time hereafter, or construed as a *voluntary* receding of this House from their Constitutional Claim.

Read in the House and accepted, and order'd to be enter'd on the Journal.

Upon a Motion, *Ordered*, That Mr. *Hancock*, Capt. *Thayer* and Mr. *Sever*, be a Committee to sort and count the Votes for a Clerk of this House.

Then the House proceeded to bring in their Votes for a Clerk, and after counting the same the Committee reported that Mr. *SAMUEL ADAMS* was chosen ; to whom the following Oath was administered by *James Humphrey*, Esq; viz. Clerk chosen.

*Whereas you Mr. Samuel Adams, are chosen Clerk of the House of Representatives, you do Swear that you will enter all the Votes and Orders thereof ; and in all Things relating to your Office you will act faithfully and impartially.* Sworn.  
So help you GOD.

Upon a Motion made, *Ordered*, That Col. *Warren*, Brigadier *Prebble* and Mr. *Durfee*, be a Committee to sort and count the Votes for a Speaker of this House.

The House then proceeded to bring in their Votes for a Speaker, and the Committee reported that the Hon. *THOMAS CUSHING*, Esq; was chosen. Speaker chosen.

*Resolved*, That Mr. *Otis*, Major *Humphrey*, Capt. *Sheaffe*, Mr. *Saunders*, and Mr. *Leonard* of *Taunton*, be a Committee to wait on his Excellency the Governor and acquaint him that this House have made Choice of the Hon. *THOMAS CUSHING*, Esq; for their Speaker ; and that they are ready to present him to his Excellency for his Approbation. Committee to acquaint the Governor of the Choice of a Speaker.

Who returned that they had waited on his Excellency and delivered the Message.

Mr. Secretary came down to acquaint the House that his Excellency the Governor was in the Chair, and ready to receive the Speaker elected by the House.

*Resolved*, That Col. *Williams*, Col. *Bowers*, Major *Doan*, Brigadier *Prebble*, and Mr. *Orne*, be a Committee to present the Honorable *THOMAS CUSHING*, Esq; to his Excellency the Governor for his Approbation of him as Speaker of this House, agreeable to the Direction of the Royal Explanatory Charter. Committee to present him.

Who returned that they had done accordingly. Mr.

Mr. Secretary came down with the following Message from his Excellency the Governor, *viz.*

Gentlemen of the House of Representatives,

Governor's  
Approbation  
of him.

*YOU having signified to me by a Message your Choice of the Hon. THOMAS CUSHING, Esq; to be your Speaker, and presented him to me for my Approbation, pursuant to the Direction of the Royal Explanatory Charter : By Virtue of the Authority given me by said Royal Explanatory Charter, I approve of him accordingly.*

Council-Chamber,

May 31, 1769.

Fra. Bernard.

A Message from his Excellency the Governor by Mr. Secretary. Gentlemen,

Message from  
the Governor.

*I Have no Authority over his Majesty's Ships in this Port, or his Troops in this Town ; nor can I give any Orders for the Removal of the same.*

May 31, 1769.

Read and laid on the Table.

Fra. Bernard.

### *Post-Meridiem.*

Message to the  
Board.

Upon a Motion, *Ordered*, That Mr. Otis, Mr. Hancock, and Capt. Farley, be a Committee to acquaint the honorable Board that this House is now ready to proceed to the Choice of Councillors, pursuant to the Royal Charter ; and propose to bring in their Votes first for Eighteen Councillors for the late Colony of the *Massachusetts-Bay* : And in order that an exact and perfect Account be taken in numbering and sorting the Votes, the House move, that a Committee to be appointed for that Purpose, sit at a separate Table from the Board ; and that no Election shall be declared 'till it shall have pass'd the Examination of one of the Tellers of each House at least ; provided that if more than Eighteen shall have the major Vote, those of them who shall have the greatest Number of Votes shall be the Persons elected.

Who returned that they had delivered the Message.

Message from  
the Board.

Brigadier Brattle, Nathaniel Ropes and John Worthington, Esq's; came down from the honorable Board, to acquaint the House that the Board is ready to proceed to the Choice of Councillors in the Manner propos'd.

Committee to  
sort and count  
the Votes for  
Councillors.

Upon a Motion made, *Ordered*, That Mr. Hancock, Capt. Sheaffe, Mr. Sever, Mr. Saunders and Col. Ward, be a Committee to carry up the Votes of this House for Councillors or Assistants ; and on the Part of the House to assist in sorting and counting them, together with the Votes of the honorable Board, and report the several Elections that shall be made.

Then the House proceeded to bring in their Votes for Eighteen Councillors or Assistants, Inhabitants or Proprietors of Lands within the Territory formerly called the *Massachusetts-Bay* ; and the Committee appointed, carried up the same and reported that the following Gentlemen were chosen, *viz.*

*Samuel*

*Samuel Danforth, Esq;*  
*Isaac Royall, Esq;*  
*John Erving, Esq;*  
*William Brattle, Esq;*  
*William Bowdoin, Esq;*  
*Thomas Hubbard, Esq;*  
*Harrison Gray, Esq;*  
*James Russell, Esq;*  
*Royall Tyler, Esq;*

*James Pitts, Esq;*  
*Samuel Dexter, Esq;*  
*Benjamin Greenleaf, Esq;*  
*Joseph Hawley, Esq;*  
*Artemas Ward, Esq;*  
*Thomas Saunders, Esq;*  
*Joseph Gerrish, Esq;*  
*John Hancock, Esq;*  
*Joshua Henshaw, Esq;*

For the Colony  
of Massachusetts  
Bay.

The said Committee carried up the Votes of this House for Four *New-Plymouth* Councillors or Assistants, Inhabitants or Proprietors of Land within the Territory formerly called the Colony of *New-Plymouth*, and returned that the following Gentlemen were duly chosen.

*James Otis, Esq;*  
*Gamaliel Bradford, Esq;*

*William Sever, Esq;*  
*Jerathmeel Bowers, Esq;*

The Committee carried up the Votes of this House for Three Councillors or Assistants, Inhabitants or Proprietors of Lands within the Territory formerly called the Province of *Maine*, and reported that the following Gentlemen were duly elected, viz.

*John Hill, Nathaniel Sparhawk, and John Bradbury, Esq's;*

The said Committee carried up the Votes of this House for One Councillor or Assistant, an Inhabitant or Proprietor of Land within the Territory lying between the River *Sagadahock* and *Nova-Scotia*, and reported that *Jeremiah Powell, Esq;* was duly chosen.

Then the Committee carried up the Votes of this House for the Choice of Two Councillors or Assistants, Inhabitants or Proprietors of Lands within any Part of this Province, and reported that the following Gentlemen were duly chosen, viz.

*Benjamin Lincoln, Esq;* | *Mr. Walter Spooner.*

At Large.

Then the House adjourn'd 'till To-morrow Morning, Ten o'Clock.

JOVIS, 1 Die Junii, A.D. 1769.



R. Secretary *Oliver* brought down a List of the Names of the Gentlemen chosen Yesterday to be Councillors or Assistants for the Year ensuing.

List of Councillors bro't down.

Which was read, and thereupon Ordered, That Mr. *Otis*, Capt. *Thayer*, Col. *Prescot*, Mr. *Orne* and Mr. *Gardner* of *Stow*, be a Committee to wait on his Excellency the Governor with the List of the Councillors therein named, agreeable to the Direction of the Royal Charter.

Who returned that they had waited on his Excellency and laid the List before him accordingly.

Mr. Speaker communicated divers Letters he had received, viz.

Letters communicated to the House.

A Letter from *Richard Jackson, Esq;* dated *South Hampton Buildings*, May 10, 1768.

C

Letters



Letters from *Dennys Debert*, Esq; dated *London April 24, May 14, June 27, July 29, August 26, November 16 and 19, 1768, and February 11 and 18, and March 13, 1769.*

A Letter from *Philip Livingston*, Esq; Speaker of the House of Representatives of *New-York*, dated *December 13, 1768.*

A Letter from *M. Bowler*, Esq; Speaker of the House of Representatives of *Rhode-Island* and *Providence*, inclosing a Copy of their Petition to the King, also Copies of two Letters to the Earl of *Hillsborough*.

A Letter from *Robert Loyd*, Esq; Speaker of the House of Representatives of *Maryland*, dated *June 24, 1768*, inclosing a Message from Governor *Sharp* to the lower House of Assembly the 20th of *June 1768*, and their Answer of the 23d of the same Month.

A Letter from *P. Manigault*, Esq; Speaker of the House of Representatives of *South-Carolina*, dated *July 10, 1768.*

A Letter from *Peter Manigault*, Esq; dated *November 21, 1768*, inclosing Copy of a Journal of their Proceedings during the late Session of the General Assembly there.

A Letter from *John Hervey*, Esq; Speaker of the House of Representatives of *North-Carolina*, dated *November 10, 1768.*

A Letter from *M. Jones*, Esq; Speaker of the House of Representatives of *Georgia*, dated *December 24, 1768*, inclosing a Copy of their Resolutions of the same Date.

Mr. Secretary brought down a List of Councillors or Assistants chosen Yesterday, with the following Declaration from his Excellency the Governor, viz.

*I Consent to the Election of the Gentlemen before named, except the Hon. William Brattle, Esq; the Hon. James Bowdoin, Esq; Joseph Gerrish, Esq; Thomas Sanders, Esq; John Hancock, Esq; Artemas Ward, Esq; Benjamin Greenleaf, Esq; the Hon. James Otis, Esq; Jerathmeel Bowers, Esq; Joshua Henshaw, Esq; and Walter Spooner, Esq; to the Election of whom I do not Consent.*

Province-House,  
June 1, 1769.

**Fra. Bernard.**

Mr. Secretary *Oliver* came down with a Message from his Excellency the Governor to desire the House would send up the Hon. *Joseph Hawley* and *William Sever*, Esq's; who were chosen Councillors Yesterday, that they may take their Seats at the Board.

*Ordered*, That Col. *Otis*, Mr. *Hancock*, Col. *Bowers*, Mr. *Spooner* and Col. *Gerrish*, attend Mr. *Sever* to the honorable Board, and that they acquaint his Excellency that Major *Hawley* has declined taking his Seat there.

They returned that they had attended Mr. *Sever* to the Board, and delivered the Message to the Governor.

*Ordered*,

List of Councillors bro't down, with a Declaration from his Excellency.

Message from the Governor.

Committee to attend Mr. *Sever* to the Hon. Board.



*Ordered*, That a Precept be issued to the Town of *Kingslon*, to return a Person to represent them in this House in the Room of the Hon. *William Sever*, Esq; elected to the Board. Precept to be issued to *Kingslon*.

A Message from his Excellency the Governor by Mr. Secretary, Message from his Excellency.  
*viz.*

Mr. Speaker, his Excellency the Governor is now in the Chair, and directs the Attendance of this honorable House in the Council Chamber.

Mr. Speaker, and the House went into the Council Chamber, and his Excellency delivered a Speech to both Houses ; of which the Speaker obtain'd a Copy, and returned with the House to their own Chamber.

His Excellency's Speech was read in the House, and is as follows, *viz.*

*Gentlemen of the Council, and*

*Gentlemen of the House of Representatives,*

**A**S I have nothing in immediate Command from His Majesty to lay before you, I shall at present only recommend to you to give your earliest Attention to the Business of the Province. This is got into such an Arrear, that it will require the utmost Diligence to get it done within the usual Time generally allotted to this Session. What I shall have to point out to you will be communicated by separate Messages. His Excellency's Speech.

I shall be ready to concur with you in all Measures proposed for the Good of the People that are consistent with the invariable Rule I have laid down of not departing from the Duty I owe to the King. The Service of the Crown and the Interest of the People are Objects very compatible with each other : they must be so under a Monarch, who makes the general Welfare of all his Subjects the sole End of his Government. It shall not be my Fault, if this Coalition of Duties is not as apparent as it is real.

Council-Chamber,

June 1, 1769.

**Fra. Bernard.**

*Ordered*, That his Excellency's Speech to both Houses, at the Opening of this Session, lie on the Table.

*Ordered*, That Mr. *Witt*, Capt. *Bradford*, Mr. *Fuller*, Capt. *Thomas*, and Capt. *Clay*, be the Monitors of this House.

*Ordered*, That the same Rules and Orders be observed by this House, as were observed by the House of Representatives the last Year.

## *Post-Meridiem.*

The House took into Consideration his Excellency's Message of Yesterday.

*Ordered*, That the Committee who waited on his Excellency Yesterday with a Message, reduce the Report they then made to Writing, and lay it on the Table.

*Ordered,*

*Ordered*, That Col. *Otis*, Mr. *Otis*, Mr. *Adams*, Brigadier *Preble*, Major *Hawley*, Mr. *Hancock* and Col. *Warren*, be a Committee to consider the Governor's Message of 31st of *May*.

Then the House adjourn'd till To-Morrow Morning Nine o'Clock.

VENERIS 2 Die Junii A. D. 1769.

*Harwich* Pre-  
cept return'd.

\*\*\* *Hillingworth Foster*, Esq; returned a Member from  
\* c \* *Harwich*, made his Appearance in the House.

\*\*\* *Ordered*, That Col. *Ashley* attend him to the Gentle-  
men appointed to administer the Oaths, &c.

Who returned that Mr. *Foster* had taken the Oaths,  
and subscribed the Declaration ; and then Mr. *Foster* took his Seat  
in the House.

The Committee appointed Yesterday to consider his Excellency's  
Message of 31st *May*, reported.

Read and not accepted.

*Ordered*, That Mr. Speaker, Col. *Otis*, Capt. *Sheaffe*, Major  
*Hawley*, Mr. *Otis*, Mr. *Adams*, Mr. *Hancock*, Mr. *Hall*, and Col.  
*Warren*, be a Committee to take under Consideration his Excellen-  
cy's verbal Message, and also his written Message, both of 31st *May*,  
and report.

*Post-Meridiem.*

*Ordered*, That the Committee appointed to consider his Excel-  
lency's Messages sit forthwith, and report as soon as may be.

Then the House adjourn'd 'till To-morrow Morning, Nine o'Clock.

SABBATI 3 Die Junii, A. D. 1769.

Petition of  
Inhabitants of  
*Cambridge*.

\*\*\* THE Committee on the Governor's Messages of 31st *May*,  
\* \* \* \* \* *T* \* \* \* \* \* desired Leave to sit again, they not being ready to  
\* \* \* \* \* report, and they had Leave accordingly.

A Petition of the Freeholders and Inhabitants of the Town of  
*Cambridge*, praying that this House would issue a Precept for the  
Return of another Member.

Read and *Ordered*, That the Consideration of this Petition be  
refer'd to Tuesday next, Three o'Clock.

Upon a Motion made, *Resolved*, That this House will, in Duty,  
Loyalty and Affection to his Majesty, joyfully celebrate the happy  
Anniversary of the Birth of his Majesty, on Monday next at Six o'  
Clock, P. M. And *Ordered*, That Mr. *Otis*, Mr. *Hancock*, and Mr.  
*Adams*, make suitable Provision for the Festivity.

Then the House adjourn'd 'till Tuesday next, Ten o'Clock, A. M.

# V O T E S

## Of the Honorable House of Representatives.

MARTIS, 6 Die Junii, A. D. 1769.



*Lisba Doan*, Esq; returned a Member from *Chatham*, *Chatham* Precept return'd. making his Appearance in the House,

*Ordered*, That Mr. *Otis* attend him to the Gentlemen appointed to administer the Oaths, &c.

Who returned that he had attended accordingly, and then Mr. *Doan* took his Seat in the House.

The Committee appointed to consider his Excellency's Message of the 31st of *May*, reported a Draft of a Message in Answer, which being read, *Report on his Excellency's Message.*

*Ordered*, That the Consideration be referr'd 'till To-Morrow 11 o'Clock.

Upon a Motion, *Ordered*, That the Consideration of the Petition from *Cambridge* be further referr'd till To-Morrow nine o'Clock. *Cambridge Petition return'd.*

*Ordered*, That the Clerk be directed to make a fair Copy of the Report of the Committee upon his Excellency's Message of the 31st of *May*, and lay the same on the Table. *Clerk directed.*

Then the House adjourn'd till To-Morrow Morning Nine o'Clock.

MERCURI, 7 Die Junii, A. D. 1769.

THE Petition of the Freeholders and Inhabitants of *Cambridge*, was considered according to Order, and the Question being put, *Whether the Prayer shall be granted?* *Order on Petition of Inhabitants of Cambridge.* Pass'd in the Negative; and then *Ordered*, That the Petition lie on the Table.

*Edward Hartwell*, Esq; returned a Member from *Lunenburg* and *Fitchboro'*, appearing in the House: *Lunenburg Precept return'd.*

D

*Ordered,*



Ordered, That Col. *Murray* attend him to the Gentlemen appointed by Dedimus to administer the Oaths, &c.  
Who returned that he had done accordingly.

And then Major *Hartwell* took his Seat in the House.

The Report of the Committee appointed to consider his Excellency's Message of the 31st of *May*, was considered according to Order.

Ordered, That this Report be further considered at Four o'Clock, and that the Members be enjoined then to attend.

### *Post-Meridiem.*

Governor's  
Message further  
considered

The House enter'd into a further Consideration of the Report of the Committee to consider the Governor's Message of 31st *May*.

Ordered, That this Report be recommitted; and that Mr. *Sanders* and Col. *Ward* be added to the Committee—and the Committee enjoined to sit forthwith.

Letter communicated.

Mr. Speaker communicated a Letter from the SPEAKER of the House of Burgesses of VIRGINIA, inclosing certain Resolves of said House, pass'd the 16th of *May* last.

Then the House adjourn'd 'till To-morrow Morning, Ten o'Clock.

Jovis, 8 Die Junii, A.D. 1769.

Springfield, &c.  
Member returned.

\*\*\* MAJOR *Benjamin Day*, returned a Member from *Springfield* and *Wilbraham* appearing in the House,

\*\*\* Ordered, That Mr. *Bliss* attend him to the Gentlemen appointed by Dedimus to administer the Oaths, &c.

Who returned that he had done accordingly.

And then Major *Day* took his Seat in the House..

### *Post-Meridiem.*

The Committee on his Excellency's Message of the 31st *May*, reported.

Whereupon the House resolved into a Committee of the whole House, further to consider the said Message, and Report.

Then the House adjourn'd 'till To-morrow Morning, Nine o'Clock.

VENERIS 9 Die Junii A. D. 1769.

Report on  
Gov. Message.

\*\*\* THE Speaker of the House resumed the Chair, and the Hon. *James Otis*, Esq; from the Committee of the whole House, reported an Answer to his Excellency the Governor's Message of the 31st of *May*.

Read and Ordered, That the Consideration of this Report be referr'd 'till Three o'Clock, P. M.

*Post-*



*Post-Meridiem.*

The Report of the Committee of the whole House in Answer to his Excellency's Message of the 31st May was read again, and accepted. Report on Governor's Message accepted.

*Ordered*, That Mr. Otis, Col. Williams, Major Hawley, Col. Warren and Mr. Porter, be a Committee to present the same to the Governor.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

SABBATI IO *Die Junii*, A. D. 1769.



HE Answer to his Excellency's Message of the 31st of May as taken into a new Draft was laid on the Table. And upon a Motion made, the House proceeded to consider and amend the same.

Then the House adjourn'd 'till Monday next, Three o'Clock, P. M.

\*\*\*\*\*

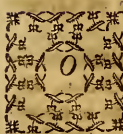
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# V O T E S

Of the Honorable House of Representatives.

LUNÆ 12 *Die Junii*, A. D. 1769.



**ORDERED**, That the Report of the Committee on his Excellency's Message of the 31<sup>st</sup> of *May*, lie on the Table 'till To-Morrow Ten o'Clock.

Report on the Gov. Message order'd to lie on the Table.

Mr. Speaker communicated to the House a Letter received from *Dennys DeBerdt*, Esq; dated *London*, April 3, 1769.

Then the House adjourn'd till To Morrow Morning Nine o'Clock.

MARTIS, 13 *Die Junii*, A. D. 1769.



*Jonathan Allen*, Esq; returned a Member from *Chilmark*, appearing in the House;

*Chilmark* Precept return'd.

**Ordered**; That Mr. *Hancock* attend him to the Gentlemen appointed to administer the Oaths, &c.

Who returned that he had attended accordingly.

And then Mr. *Allen* took his Seat in the House.

The Report of the Committee on his Excellency's Message of the 31<sup>st</sup> of *May*, was read again with Amendments.

Report on his Excellency's Message.

**Ordered**, That this Report be taken into a fair Draft, and laid on the Table.

## *Post-Meridiem.*

The Report of the Committee on his Excellency's Message of the 31<sup>st</sup> of *May*, was read again.

Report on his Excell. Message.

**Ordered**, That Mr. *Greenleaf* and Capt. *Clay*, be of the Committee to present the same to his Excellency, in the Room of Mr. *Otis* and Major *Hawley*, who are excused.

E

*Ordered*,

Ordered, That the said Committee wait on his Excellency the Governor with the following Answer to his Message of the 31st of May.

*May it please your Excellency,*

Message to his  
Excellency.

THE House of Representatives have duly considered your Message of the 31st of May, and are sorry to find your Excellency declaring, that you "have no Authority over his Majesty's Ships in this Port, or his Troops within this Town; and that you can give no Orders for the Removal of the same."

We clearly hold, that the King's most excellent Majesty, to whom we have, and ever shall bear, and since the convening of this present Assembly we have sworn, true and faithful Allegiance, is the supreme executive Power through all the Parts of the British Empire: And we are humbly of Opinion, that within the Limits of this Colony and Jurisdiction, your Excellency is the King's Lieutenant, Captain-General and Commander in Chief, in as full and ample a Manner, as is the Lord Lieutenant of *Ireland*, or any other His Majesty's Lieutenants in the Dominions to the Realm of *Great-Britain* appertaining.

From hence we think it indubitably follows, that all Officers, civil and military, within this Colony, are subject to the Order, Direction and Controul of your Excellency, so far at least as is necessary for the Safety of the People, and the Security of the Privilege, of this House, as they are to the King's Majesty within the Realm. And though we admit, that Peace and War are in the King's Hand, and that it is an indisputable Part of the Royal Prerogative, necessary for the Preservation of the Common-Wealth, as all other well-grounded Prerogative Powers are, That to destine the Fleets, and march the Armies of the State to any Part of the World, where they may be necessary for the Defence and Preservation of the Society, belongs to the Crown; yet it is impossible to believe, that a military Power or a standing Army, procured and stationed here in Consequence of Misrepresentations of the Duty and Loyalty of his Majesty's Subjects of the Province, and suddenly quartered not only contrary to Act of Parliament, and to every Principle of Reason, Justice and Equity, but accompanied with every Mark of Contempt, Reproach and Insult, to as brave and loyal a People as ever served a Prince, can be uncontrollable by the supreme Executive of the Province; which, within the Limits of the same, is the just and full Representative of the supreme Executive of the whole Empire.

It is well known, that it is no uncommon Thing for Disturbances to happen in populous Cities; and such as have unfortunately taken Place in this Province, have been greatly misrepresented: We have not only been told of, but all Parts of the Empire have been alarmed with, Apprehensions of Danger to his Majesty's Government in *North-America* in general, and in this Province in particular, by Reason of the most exaggerated Accounts of certain Disturbances, which however, have in every Instance been far, very far from being carried to that atrocious and alarming Length to which  
many



many have been in *Britain*, at the very Gates of the Palace and even in the Royal Presence.

It is most certain, that every Subject has a Right, to have the Rules of his Duty, Obedience and Allegiance clearly defined and determined : Hence it may be inferred, that very miserable is the Servitude of those, who know not, whether they are subject to an absolute Power, civil or military ; or both, as may most effectually prosper the Machinations and fulfil the Purposes of Despotism.

It must be obvious to all Jurists, and to every Man endued with an ordinary Understanding, That the Doctrine your Excellency has been pleased to advance, in your Answer to the Message of the House, involves us in that State which is called by the Learned, *Imperium in Imperio* ; or at least establishes a military Power here, uncontrollable by any Civil Authority in the Province.

It has been publickly said, that the military Power is become necessary in this Colony, to aid and support civil Government ; for which we have no less Authority than the Resolutions of the two Houses of Parliament, and the Declaration of one of his Majesty's principal Secretaries of State : The Use of the military Power to enforce the Execution of the Laws, is in the Opinion of this House inconsistent, with the Spirit of a free Constitution, and the very Nature of Government.—Nor can there be any necessity for it ; for the Body of the People, the *Posse Comitatus* will always aid the Magistrate in the Execution of such Laws as ought to be executed. The very Supposition of an Unwillingness in the People in general, that a Law should be executed, carries with it the strongest Presumption that it is an unjust Law ; at least that it is unsalutary.—It cannot be *their* Law ; for by the Nature of a free Constitution, the People must consent to Laws, before they can be obliged in Conscience to obey them.—In Truth, no Law however grievous, has been opposed in the Execution of it, in this Province ; and yet a Military Power is sent here, purposely to aid in the Execution of the Laws : And what adds to the Injustice of those who procured this Armament is, that it was procured at the very Time when the People were dutifully supplicating the Throne for the Redress of Grievances, occasioned by Acts of Parliament for the Purpose of raising a Revenue in America.—We think we can infer from your Excellency's Declaration, that this military Force is uncontrollable by any Authority in the Province : It is then a Power without any Check here, and therefore it is so far absolute.—An absolute Power which has the Sword constantly in its Hand, may exercise a rigorous Severity whenever it pleases.—What Privilege, what Security is then left to this House, whose very Existence to any Purpose depends upon its Privilege and Security !—Nothing remains in such a State, if no Redress can be had from the King's Lieutenant in the Province, but that the oppressed People unite in laying their servent and humble Petition before their Gracious Sovereign.

The

The said Committee waited on his Excellency accordingly, and return'd they had deliver'd the Message.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MERCURI, 14 Die Junii, A. D. 1769.

Motion was made to adjourn the House, and the House was accordingly adjourned till To-Morrow Morning Nine o'Clock.

JOVIS, 15 Die Junii, A. D. 1769.

A Message from his Excellency by Mr. Secretary,  
Gentlemen of the House of Representatives,

Message from  
his Excellency.

**N**OTWITHSTANDING the Doubts and Difficulties which you have expressed to me in your Message of Yesterday: It is certain that I have no Authority to give Orders for the Removal of the King's Ships out of the Harbour, or his Troops out of the Town: Whoever is acquainted with the Arrangement of the Commands in America, which are all derived from the same King, knows that it is so.

I am sorry that this Question should cause the Non-activity of the Assembly for an entire Fortnight; the Expence of which has already cost the Province upwards of Five Hundred Pounds lawful; and is, for what I can see, still encreasing; besides the Inconvenience accruing to Persons attending the General Court for Business, which falls harder upon them as Individuals, than Expences generally dispersed among the People.

I cannot sit still and see such a Waste of Time and Treasure to no Purpose. If therefore you still continue of the Opinion, "that the keeping an armed Force in this Town, and within its Harbour is a Breach of Privilege, and inconsistent with that Freedom with which you have a Right to deliberate, consult and determine," I must apply such Remedy as is in my Power to remove this Difficulty; and the only Means I have are to move the General Court to a Place where it cannot operate.

It is an indifferent Thing to me where the General Court is held: I know not that it is necessarily confined to any Town; that Town seems to me to be the most proper for it, where the Business can be most conveniently, easily and readily done: And as it is apparent from your own Resolutions and a Fortnight's Experience, that you do not think that this is, at this Time, a proper Town for the General Court to sit in, I shall remove it to Cambridge, against which Place no Objection that I know of can be formed.

Province-House,  
June 14; 1769.

Fra. Bernard.

Then

Then the Secretary said " It is his Excellency's pleasure that this Great and General Court be adjourned, to *Harvard-College* in *Cambridge*, on Friday the 16th Instant ; and this Court is adjourned accordingly.

## HARVARD-COLLEGE in Cambridge.

VENERIS 16 *Die Junii* A. D. 1769.

ORDERED, That Mr. *Gardner* of *Cambridge*, Mr. *Hall* and Mr. *Saunders*, wait on the Rev. Mr. *Appleton*, and acquaint him, that he is desired to pray with the House this Morning.

### *Post-Meridieum.*

His Excellency's Message of the 14th Instant was read.

Ordered, That Mr. Speaker, Mr. *Adams*, Capt. *Sheaffe*, Col. *Otis*, Mr. *Hancock*, Capt. *Fuller* and Mr. *Porter*, be a Committee to consider the same, and report.

Committee on  
Gov'r's Message

Then the House adjourn'd 'till Monday next, Three o'Clock, P. M.

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Then the ... ..  
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# Harvard-Court at Cambridge.

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## Post-Scriptum.

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# V O T E S

## Of the Honorable House of Representatives.

LUNÆ 19 Die Junii, A. D. 1769.

THE Committee appointed to consider his Excellency's Message of the 14th Instant, reported.  
 Read, and accepted, and *Ordered*, That Mr. Otis, Capt. Sheaffe, Mr. Hancock, Col. Bowers and Mr. Hall, be a Committee to wait on his Excellency the Governor with the following Message.

*May it please your Excellency,*

AS you have not thought proper in your Reply to the Message of this House of the 13th Instant, to throw any Light on the Subject, or invalidate the Principles we therein advanced, your Excellency will allow us to conclude, that those Principles were well grounded, and that there is no Reason for us to alter our Sentiments on this interesting Point.

You are pleased to intimate that much Time and Treasure has been spent in determining a merely speculative Question : The House regarded a Standing Army posted within the Province in a Time of the most profound Peace, and uncontrollable by any Authority in it, as a dangerous Innovation ; and a Guard of Soldiers with Cannon planted at the Doors of the State House, while the General Assembly was there held, as the most pointed Insult ever offered to a free People, and its whole Legislative. This, Sir, and not the Question of your Excellency's Authority to remove His Majesty's Ships out of the Harbour, or his Troops out of the Town of Boston, was the principal Cause of the " Non-activity of the Assembly." Had your Excellency felt for the Assembly and the People over whom you preside, even though you had supposed yourself not properly authorized, you would have employed your Influence, at least, for the Removal of this Grievance ; especially as his Majesty's Council, as well as this House, had before expressed to your Excellency their just Indignation at so unprecedented an Affront. But instead

of

of the least Abatement of this military Parade, the General Assembly has been made to give Way to an armed Force : As the only Means in your Power to remove the Difficulty we justly complained of, your Excellency has ordered a Removal of the General Assembly itself, from its ancient Seat and the Place where the public Business has generally been done with the greatest Convenience, Ease and Dispatch.—It is with Pain that we are obliged here to observe, that the very Night after this Adjournment was made, the Cannon were removed from the Court-House, as though it had been designed, that so small a Circumstance of Regard should not be paid to the Assembly, when convened by the Royal Authority, and for His Majesty's Service in the Colony.

You are pleased to pass a Censure upon this House, in saying that, “ you cannot sit still and see such a Waste of Time and Treasure to no Purpose.”—Those alone are answerable for any Expence of Time and Treasure on this Occasion, who have brought us into such a Situation, as has hitherto rendered our Proceeding to Business incompatible with the Dignity, as well as the Freedom of this House.—No Time can better be employed than in the Preservation of the Rights derived from the British Constitution, and insisting upon Points which, though your Excellency may consider them as non-essential, we esteem its best Bulwarks.—No Treasure can be better expended than in securing that true old English Liberty, which gives a Relish to every other Enjoyment. These we have the Satisfaction to believe are the Sentiments of our Constituents, to whom alone we are accountable how we apply their Treasure : And we are fully persuaded, from what we have already heard, that, notwithstanding the apparent Design of your Message to prejudice their Minds against us, what your Excellency is pleased to call our “ Non-activity,” will receive their Approbation, rather than their Censure ; for an entire Fortnight spent in Silence, or a much longer Time, cannot be displeasing to them, when Business could not be entered upon, but at the Expence of *their* Rights and Liberties, and the Privilege of this House.

Message to the Board.

Upon a Motion, *Ordered*, That Mr. Otis go to the honorable Board, to desire that such Letters as his Majesty's Council have received relating to this Province, together with such Representations as they have made thereupon, may be laid before this House.

Who returned that he had delivered the Message.

Committee to consider the State of the Province.

Upon a Motion made, *Ordered*, That Mr. Speaker, Col. Otis, Capt. Sheaffe, Brigadier Prebble, Mr. Adams, Mr. Hancock, Mr. Spooner, Mr. Otis and Mr. Porter, be a Committee to consider the State of the Province.

Upon a Motion, *Ordered*, That a Committee be appointed to wait on the honoured and reverend the Corporation of Harvard-College, and desire they would give order that this House may meet in the new Chaple in Harvard-Hall, during the Sitting of the General Court in Cambridge.

And



And Mr. *Otis*, Mr. *Hancock*, Mr. *Durfey*, Col. *Murray* and Col. *Bowers*, were accordingly appointed.

Who returned that they had waited on the Corporation, and delivered the Message of the House.

*Harrison Gray*, Esq; came down from the honorable Board to acquaint the House that the Letters received by the honorable Board, and Papers relative thereto, are at *Boston*; and that the Board will lay them before the House To-morrow. Message from the Board.

The Honorable *Thomas Hubbard*, Esq; the Rev. Mr. *Appleton*, and the Rev. Dr. *Eliot*, a Committee of the Corporation of Harvard-College, being admitted, acquainted the House that the new Chaple in Harvard-Hall would be prepared for the Meeting of the House To-morrow.

And then the said Gentlemen withdrew.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MARTIS, 20 *Die Junii*, A. D. 1769.

ORDERED, That Mr. *Gardner* of Cambridge, Capt. *Sheaffe* and Mr. *Hancock*, wait on the Rev. Mr. *Appleton*, and desire him to officiate as Chaplain to this House, during the Sitting of the General Court in Cambridge.

*Jeremiah Powell*, Esq; brought down from the honorable Board, and laid on the Table, certain Letters received by his Majesty's Council, and Papers accompanying the same. Letters bro't down.

Ordered, That Capt. *Thayer* be of the Committee appointed Yesterday to carry a Message to his Excellency the Governor, in the Room of Mr. *Otis* who is excused; and the Committee are ordered to wait on his Excellency.

Who returned they had delivered the Message.

## *Post-Meridiem.*

Ordered, That the Committee appointed to consider the State of the Province, take the Letters laid before the House by the honorable Board, and the Papers accompanying the same into Consideration, and report as soon as may be. Committee directed.

Then the House adjourn'd 'till To-morrow Morning, Ten o'Clock.

MERCURII, 21 *Die Junii*, A. D. 1769.

THE Committee to consider the State of the Province, reported the Draft of a Protest, according to Order. Draft of a Protest reported.

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Whereas

*Whereas this House did, on the first Day of the present Sessions of the General Assembly, take into serious Consideration, the unhappy Situation of this Colony, by Reason of a Military Force, procured, and stationed here, in Consequence of gross Misrepresentations of his Majesty's loyal Subjects of this Colony; and did then Remonstrate to his Excellency the Governor, "That an Armament by Sea and Land, investing the Metropolis where this Court was conven'd and held, and a main Guard kept with Cannon pointed at the very Doors of the State House, was inconsistent with the Dignity and Freedom of this House:"*

*And whereas his Excellency was pleas'd in Answer to declare, "That he had no Authority over his Majesty's Ships in the Harbour, and the Troops in the Town of Boston, and could give no Orders for the Removal of the same."—And instead of the Grievance being redressed, this Assembly itself, has been made to give Way to the said armed Forces, by his Excellency's Adjournment of the said Assembly, from its usual and ancient Place, to Harvard College in Cambridge:*

*And whereas this House has Reason to apprehend, that it has been, and still is, the Endeavour of Persons inimical to our happy Constitution, to have a Military Power, independent of, and uncontrollable by, any Civil Authority within this Colony established here:*

RESOLVED, That this House will at all Times to the utmost of their Power, maintain the Honor and Dignity of our Rightful and Gracious Sovereign, and promote his Majesty's Service in this Jurisdiction, as well as support the just Rights and Liberties of the People, their own Dignity, and the Constitutional Freedom of their Debates and Consultations.

RESOLVED, as the Opinion of this House, That the British Constitution admits of no Military Force within the Realm, but for the Purposes of offensive and defensive War.—And therefore that the sending and continuing a Military Force within this Colony, for the express Purpose of aiding and assisting the Civil Government, is an Infraction of the natural and constitutional Rights of the People, a Breach of the Privilege of the General Assembly, inconsistent with that Freedom with which this House, as one Branch of the same, hath a right, and ought to debate, consult and determine, and manifestly tends to the Subversion of that happy Form of Government, which we have hitherto enjoyed.

RESOLVED, That the Proceeding of this House to the Public Business of the Colony, while a Military Force, for the Purpose of aiding the Civil Authority, is quartered within the same, and declared to be uncontrollable by his Majesty's Lieutenant in this Colony, is from *Necessity*: And is not to be considered as a Precedent at any Time hereafter, or construed, as a voluntary receding of this House from any of those constitutional Rights, Liberties and Privileges, which the People of this Colony, and their Representatives in General Court assembled, do hold, and of Right ought to enjoy.

Read, and accepted unanimously.

Ordered, That previous to the Proceeding of this House to the public Business, the foregoing Resolutions be entered upon the Journal.

*Pg 8.*

*Post-Meridien.*

A Message from his Excellency by Mr. Secretary,  
Gentlemen of the House of Representatives,

WHEN at the Opening of the Session I recommended to you to give your earliest Attention to the Business of the Province; I did not think that there was any Occasion to specify the Particulars of such Business, as they must occur to you as readily as to me. Message from the Governor.

However least, this Omission should be made use of as an Excuse for your Inactivity, and as you have now entered into your fourth Week, without having done any Thing at all, I shall now capitulate the principal Articles of the public Business, which have hitherto waited for your Notice.

They are, 1. The Support of the Government ; 2. The Supply of the Treasury ; 3. The providing for the Payment of the provincial Debt, which now amounts to One hundred and five Thousand Pounds ; 4. The Tax-Bill ; 5. The Impost-Bill ; 6. The Excise-Bill, if thought proper ; 7. The Establishment for Ports and Garrisons ; 8. The Continuation of the Truck Trade : 9. The Continuation or Revival of expiring or expired Laws, &c.

All these several Matters, and such others of the ordinary Business as I may have omitted, I now recommend to your immediate Consideration. Such Assistance as I can give you, especially in removing Doubts or Difficulties which may attend any of the said Businesses, I shall be ready to afford you, so far as is consistent with my Duty.

Fra. Bernard.

June 21, 1769.

Read and *Ordered*, That the same lie on the Table.

*Ordered*, That his Excellency's Speech at the Opening of the Session be again read. Committee on Gov'r's Speech.

Read and *Ordered*, That Mr. Leonard, Capt. Read, and Mr. Hall, with such as the honorable Board may appoint, be a Committee to consider his Excellency's Speech at the Opening of this Session, and report. Sent up for Concurrence.

A Petition of Henry Young Brown, representing that he hath been at Expence in defending certain Lands therein mentioned, by Order of this Government, and praying for a Consideration. Petition of H. Y. Brown.

*Ordered*, That Col. Williams, Col. Bowers, Capt. Fuller, Mr. Hall, and Major Humphreys, be a Committee to consider this Petition, and report.

On a Motion made, *Ordered*, That Major Humphreys, Mr. Spooner, Col. Ward, Capt. Dix and Col. Bowers, be a Committee to consider Petitions for the Sale of Lands. Committee on Petitions for Sale of Lands.

*Ordered*, That Col. Bowers and Mr. Leonard be added to the Committee to consider the State of the Province.

It was moved that the Superior Court by Law next to be held in the County of York, be adjourned to a further Day ; and thereupon,

*Ordered*,



*Ordered*, That Mr. *Lombard*, Capt. *Bragdon* and Brigadier *Prebble* bring in a Resolve for that Purpose.

Committee on  
Indian Guar-  
dians Accounts

Upon a Motion made, *Ordered*, That Mr. *Gardner* of *Stow*, Capt. *Thayer*, Col. *Williams*, Col. *Gerrish* and Capt. *Fuller*, be a Committee to consider the Accounts of the Guardians of Indians.

Treasurer di-  
rected.

*Ordered*, That the Treasurer-General be directed to lay his Accounts on the Table.

Commissary-  
Gen. directed.

*Ordered*, That the Commissary-General be directed to lay his Accounts on the Table.

Committee on  
County Treasurers  
Accounts

*Ordered*, That Mr. *Wood* of *Boxford*, Col. *Ward*, Mr. *Durfee*, Mr. *Hall*, and Mr. *Saunders*, be a Committee to consider the Accounts of the Treasurers of the Counties in the Province.

*Resolved*, That this House will take into Consideration an Establishment for Forts and Garrisons To-morrow at Ten o'Clock.

Committee on  
Expences at the  
Castle Barracks

*Ordered*, That Brigadier *Prebble*, Mr. *Lombard*, Capt. *Sheaffe*, Col. *Bowers* and Col. *Gerrish*, be a Committee to enquire into the Expences of the Province Stores at Castle-William, and how the Barracks there have been improved the Year past.

Then the House adjourn'd till To-Morrow Morning Ten o'Clock.

JOVIS, 22 Die Junii, A. D. 1769.

York Superior  
Court adjourn'd

THE Committee appointed Yesterday to prepare a Resolve for the Adjournment of the Superior Court next to be holden in the County of *York*, reported.

Read and accepted, and *Resolved*, That the Superiour Court of Judicature, Court of Assize and General Goal Delivery, which ought, by Law, to be held at *York* for the County of *York*, on the first Tuesday of *July* next, be and it hereby is adjourned to the Third Tuesday of the same Month of *July*, then to be holden at *York*, in and for the said County of *York*. And all Pleas, Writs, Actions, Suits, Complaints, Precepts, Recognizances and Processes whatsoever, and all Matters and Things returnable, or having Day in the said Court for the County of *York*, shall stand, abide and continue until the said Adjournment, and be then proceeded on in like Manner, and such Proceedings shall be held, deemed and adjudged to be as good, effectual and available to all Intents and Purposes whatsoever, as if the said Court for the County of *York* had been held and kept on the Day by Law for holding the same, and no Adjournment had been made. Sent up for Concurrence.

Report on the  
State of the  
Province.

The Committee appointed to consider the State of the Province, reported.

Read and accepted, and *Ordered*, That Mr. *Otis*, Mr. *Pickering*, Col. *Ward*, Capt. *Thayer*, Mr. *Hancock*, Major *Hobson*, Capt. *Thomas*, Capt. *Sheaffe* and Mr. *Saunders*, be a Committee to carry the following Resolve to the honorable Board.

THE

THE House having taken into Consideration certain Copies of Letters written by Governor *Bernard* to the Right Honorable the Earl of *Hillsborough*, one of his Majesty's principal Secretaries of State, dated *November 1, 5, 11, 14, 30, and December 5, 1768.*

And also a Copy of one Letter written by his Excellency General *Gage* to his Lordship, dated *October 31, 1768.*

All which are attested by the Clerk of the Papers of the House of Commons; and were transmitted to his Majesty's late Council of this Province, by *William Bollan*, Esq; and at the Desire of the House have been communicated by the present Council.

In which Letters his Majesty's loyal Subjects of this Colony in general, as well as his Majesty's Council are trauced, and represented in a most odious and unjust Light to his Majesty's Ministers.

The House having also carefully read and considered the Remarks which the late as well as the present Council have made thereon in their several Letters to his Lordship, Copies of which have also been communicated at the Desire of this House.

*Resolved*, That the House do highly approve of and have an entire Satisfaction in the Zeal, and Attention of the late Council to the public Interest, not only in thus vindicating their own Character, but guarding their Country from meditated Ruin, by truly stating Facts and justly representing the Duty and Loyalty of this People at so critical a Time when the Governor of the Province had wantonly dissolved the General Assembly, and arbitrarily refus'd to call another upon the repeated dutiful Petitions of the People.

*Ordered*, That the Journal of this House be Printed; and that Mr. *Hancock*, Col. *Bowers* and Mr. *Hall*, be a Committee to agree with a Printer for that Purpose.

The House according to Order took into Consideration a proper Establishment for Forts and Garrisons, and,

*Ordered*, That Capt. *Sheaffe*, Brigadier *Prebble* and Major *Humphrey*, be a Committee to bring in a Resolve.

A Petition of *Nathaniel Donnel*, Esq; representing that he is summoned by Order of his Majesty in Council, to attend with Council learned in Law, upon an Appeal from a final Judgment of the Superior Court, &c. of this Colony, in an Action of Ejectment, and praying the Consideration of this Court. Petition of  
N. Donnel, Esq;

Read and committed to Mr. *Leonard*, Col. *Otis*, Mr. *Lombard*, Mr. *Bragdon* and Mr. *Saunders*, to consider and report.

A Petition of *Martha Davis*, Administratrix on the Estate of her late Husband *Ephraim Davis*, praying for Liberty to sell the Real Estate, for Reasons mentioned. Petition of  
Martha Davis

Read and committed to the Committee for the Sale of Lands.

A Petition of *Mary Merrick*, Widow of *Merrick*, praying for Liberty to sell certain Lands therein mentioned. Petition of  
Mary Merrick

Read and committed to the Committee for the Sale of Lands.

The Report of the Committee to bring in an Establishment for Forts and Garrisons.

Establishment  
for Castle-Wm.

Read and accepted, and *Resolved*, That there be an Establishment for Fifty Men, Officers included, for the Defence of *Castle-William*, and that their Wages be fixed at the following Rates, to continue for one Year from the 20th Day of *June* Current, *viz.*

For one Captain, per Annum,	£. 56	3	10
For one Lieutenant. ditto	28	11	5
For one Chaplain, ditto,	33	6	8
For one Gunner, ditto,	45	6	8
For one 2d Gunner, ditto,	33	6	8
For one Armourer, per Month,	2	4	6
For two Serjeants, ditto, each,	1	12	0
For six Quarter Gunners, ditto, each	1	12	0
For four Corporals, ditto, each	1	9	4
For one Drummer, ditto,	1	9	4
For thirty-one Privates, ditto, each	1	4	0

For Fort Paw-  
nal.

Also *Resolved*, That the Establishment for Fort-Pownal at *Penobscot*, for one Year, from the 20th of *June* Current, be as follows, *viz.*

For one Lieutenant, per Month,	£. 2	10	0
For one Chaplain, per ditto,	4	0	0
For an Interpreter, per ditto,	2	10	0
For one Gunner, per ditto,	2	5	0
For one Armourer, per ditto,	1	16	0
For one Serjeant, per ditto,	1	10	0
Twenty Privates, per ditto, each,	1	4	0

Sent up for Concurrence.

*Ordered*, That the Towns of *Granby* and *Worthington*, and the District of *Shelburne*, be furnished with a Set of the Province Laws.

Message from  
the Board.

*Harrison Gray*, *Royall Tyler* and *Samuel Dexter*, Esqrs; came down from the honorable Board to acquaint the House that the Board concurred to the publishing the Papers laid before this House, *viz.* the Six Letters of Governor *Bernard*, the Letter of General *Gage*, the Letter of the late Council, the Letter of the present Council, and the Affidavit of the Overseers of the Poor of the Town of *Boston*.

*Ordered*, That the said Papers be printed as an Appendix to the Journals of this House.

Committee for  
an Impost-Bill.

*Ordered*, That Mr. *Hall*, Capt. *Sheaffe*, Col. *Williams*, Mr. *Batchelor* and Mr. *Durfee*, be a Committee to bring in an Impost-Bill.

*Ordered*, That a Time be assigned to consider of the Expediency of a Valuation of rateable Estates at Four o'Clock this Day.

Committee to  
Revise Laws.

*Ordered*, That Mr. *Phillips*, Major *Humphrey* and Col. *Prescot* be a Committee to bring in a Bill for the Revival and Continuance of Laws that are expired or near expiring.

## Post-Meridiem.

Petition of  
Inhabitants of  
*Winchendon*.

A Petition of the Inhabitants of *Winchendon*, praying to be empowered to collect certain Taxes therein mentioned; and also that they may have Part of a Province Tax therein mentioned, remitted.

*Ordered*,



*Ordered*, That Mr. *Remington*, Mr. *Wood* and Brigadier *Prebble*, consider this Petition and report.

A Petition of the Inhabitants of *Asbburnham*, praying that they may be empowered by an Act to collect certain Taxes therein mentioned. Petition of Inhabitants of Asbburnham:

Read and committed to Mr. *Remington*, Mr. *Wood*, and Brigadier *Prebble*.

*Ordered*, That Mr. *Hancock* be desired to apply to the honorable *James Bowdoin*, Esq; for his Minutes upon which the Letters of his Majesty's Council was grounded.

The House being informed that his Excellency JOHN WENTWORTH, Esq; Governor of his Majesty's Province of *New-Hampshire*, was with other Gentlemen in the Library, a Motion was made that a Committee be appointed to acquaint his Excellency that the House were ready, if he pleased, to wait on him with their respectful Compliments—And the Motion being seconded, Mr. *Otis*, Mr. *Hancock*, Col. *Ward*, Col. *Otis* and Capt. *Sheaffe*, were appointed a Committee for that Purpose. Committee to wait on Governor WENTWORTH.

Who returned that they had delivered the Message ; and that his Excellency said he was ready to receive the Complements of the House.

Then the Speaker and the House went into the Library, and there severally paid their Compliments to Governor *Wentworth*, and afterwards returned to their own Chamber.

The House entered into the Consideration of the Expediency of entering further into a Valuation of the Rateable Estates of the Province at this Time.

*Ordered*, That the Matter be further considered To-morrow Nine o'Clock ; and that the Clerk of the late Committee of Valuation be directed then to lay their Proceedings on the Table.

Then the House adjourn'd 'till To-Morrow Morning Nine o'Clock.

VENERIS 23 Die Junii A. D. 1769.



THE Committee on the Accounts of the Treasurer of the County of *Worcester*, reported.

Report on Worcester County Treasurer's Account.

Read and accepted, and *Resolved*, That the said Account being right cast and well vouched, be allowed, and that the said Treasurer be discharged of the Sum of *three Hundred and Ninety-three Pounds thirteen Shillings and nine Pence*, which he has paid by Order of the Court of General Sessions of the Peace, including his own Commissions, and the Tax laid on the Town of *Woodstock*, for the Year 1768 ; and that he be further accountable for the Sum of *two Hundred and Twenty-two Pounds nine Shillings and eight Pence three Farthings*, now outstanding ; and also for the Tax laid on the Town of *Woodstock*, when he shall receive the same.

Sent up for Concurrence.

A

Petition of Rev  
*Eli Forbes.*

A Petition of the Rev. Mr. *Eli Forbes*, praying for an Allowance for the Support and Instruction of two Indian Boys committed to his Care, from the 17th of *June*, 1768; and also that the said Boys may be allowed to visit their Friends on the Occasion of the Death of the Mother of one of them.

*Ordered*, That Col. *Ward*, Col. *Walker* and Dr. *Wheaten*, consider this Petition, and report.

Petition of  
*Hugh Orr.*

A Petition of *Hugh Orr*, Guardian of *James Alden*, and others, praying for Leave to sell certain Lands.

*Ordered*, That the Committee for Sale of Lands, consider this Petition and report.

*Harrison Gray*, Esq; Treasurer and Receiver-General laid his Accounts on the Table.

Memorial of  
Rev. *S. Badger.*

A Memorial of the Rev. Mr. *Stephen Badger*, praying for an Allowance for the Support of certain infirm Indians therein mentioned, and that Order may be taken for their further Support.

*Ordered*, That Col. *Otis*, Capt. *Sheaffe*, and Col. *Williams*, consider this Petition, and report.

Petition of  
*Eliz. Stretton.*

A Petition of *Elizabeth Stretton*, of *Natick*, praying for an Allowance for the Support of a certain poor Indian therein named.

*Ordered*, That Col. *Otis*, Capt. *Sheaffe*, and Col. *Williams*, consider this Petition, and report.

*Ordered*, That Col. *Otis*, Col. *Buckminster* and Mr. *Gardner of Stow*, with such as the honorable Board shall join, be a Committee to take into Consideration and report the State of the poor Indians in general in this Province. Sent up for Concurrence.

The Commissary-General laid his Accounts on the Table.

Petition of  
Inhabitants of  
*Ashfield.*

A Petition of the Inhabitants of the Town of *Ashfield*, praying that the Proceedings of their several Meetings since their Incorporation may be confirmed by this Court, for Reasons mentioned.

Read and committed to Col. *Williams*, Mr. *Porter* and Mr. *Leonard*.

## *Post-Meridiem.*

Printers of the  
Journals ap-  
pointed.

The Committee appointed to agree with a proper Person or Persons to print the Journals of this House, reported.

And thereupon,

*Ordered*, That Messieurs *Edes* and *Gill* be the Printers of the Journals of this House the present Year: They having agreed to print them for *Twenty-four Shillings* for a Sheet; each Sheet to contain as much as was contained in a Sheet of the Journals of the House of Representatives, printed in the Year 1759.

Petition of  
*William Arms.*

A Petition of *William Arms*, setting forth that there was a Mistake in the Award of Referees, to whom certain Matters of Controversy were submitted by the Petitioner, and one *John Hinsdel*, to the Prejudice of the said Petitioner; and that he can obtain no Remedy in the Law: He therefore prays the Aid of this Court.

Read

Read and committed to Mr. *Gardner* of *Stow*, Capt. *Harwood* and Mr. *Billings*, to consider and report.

*Ordered*, That the Committee appointed to consider the State of the Province, take into Consideration the Letter from the Speaker of the House of Burgeses of the Colony of *Virginia*, and report. Committee directed.

*Resolved*, That this House will take into Consideration a Grant to the Governor of the Province on Thursday next, at Four o' Clock.

Then the House adjourn'd 'till Monday next, Three o'Clock, P. M.

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THE HISTORY OF THE  
CITY OF LONDON

VOLUME I

OF THE  
CITY OF LONDON

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# V O T E S

Of the Honorable House of Representatives.

LUNÆ 26 Die Junii, A. D. 1769.



Jeremiah Powell, Esq; brought down the Petition of sundry Inhabitants of Newbury-Port, enter'd January 18, 1768. Petition of Inhabitants of Newbury-Port bro't down.

Pas'd in Council, viz. In Council, June 23d, 1769.

Ordered, That the several Petitions from the Inhabitants of Newbury-Port, and from the Society in said Place usually attending the publick Worship with the Rev. Mr. Parsons, be received, and that Gamaliel Bradford, Esq; with such as the honorable House shall judge, be a Committee to take the said Petition into Consideration, with the several Answers, hear the Parties and report.

Sent down for Concurrence. Read and concur'd, and Capt. Farly, and Mr. Hobson are join'd. Sent up for Concurrence.

John Bradbury, Esq; brought down the Report of the Committee appointed to repair to the Treasurer's Office, to take an Account of the Government Securities, and see them burnt and consumed to Ashes. Report on Government Securities.

In Council, June 26, 1769. Read and sent down.

Upon a Motion, Ordered, That the Petition presented by William Bollan, Esq; to the Parliament, be printed in the Appendix to the Journal of this House.

The Committee appointed to prepare an Impost-Bill, reported a Bill accordingly, and laid the same on the Table.

A Bill for granting to his Majesty certain Duties of Impost.

Bill read.

Read a first Time, and Ordered, That the Bill have a second Reading To-morrow at Eleven o'Clock.

A Petition of a Number of the Inhabitants of that Part of Sandwich called Pocasset, praying that for Reasons mentioned they may be exempt from paying Ministerial Charges in said Town, and made a distinct Parish, &c.

Petition of Inhabitants of Sandwich.

Ordered, That the Inhabitants of Sandwich be notified; and that Major Foster bring in a Resolve accordingly.

Upon

Upon a Motion, *Ordered*, That the Petition of *Samuel Moody, Esq;* be revived.

Then the House adjourn'd till To-Morrow Morning Ten o'Clock.

MARTIS, 27 *Die Junii*, A. D. 1769.

Petition of  
*Charles Dabney*

\*\*\* Petition of *Charles Dabney*, for himself, and as Guardian  
\* A \* to *Nathaniel* and *John Dabney*, praying for Liberty to  
\* \* \* sell certain Lands therein mentioned.

Read and committed to the Committee for the Sale of Lands.

Resolve on  
Petition of  
Inhabitants of  
*Pocasset*.

Upon the Petition of a Number of Inhabitants of that Part of  
*Sandwich*, called *Pocasset*, entered Yesterday.

*Resolved*, That the Petitioners notify the Town of *Sandwich*, by leaving an attested Copy of this Petition, and Order thereon, with the Clerk of said Town, that they shew Cause, if any they have, on the second Wednesday of the next Session of the General Court, why the Prayer should not be granted.

Sent up for Concurrence.

Petition of  
*John Cotton*.

A Petition of *John Cotton*, Collector of the Duties on Tea, &c. for the County of *Suffolk*, in the Year 1764, praying for the Abatement of the Sum he became bound, to pay for the Purchase thereof, for the Reasons mentioned.

Read and committed to Col. *Marcy*, Mr. *Hancock* and Mr. *Hall*, to consider and report.

Petition to the  
KING for the  
Removal of  
Gov. *Bernard*.

A Motion was made, and seconded, That this House prefer an humble, dutiful and loyal Petition to the King, praying that his Majesty would be graciously pleased for ever to remove his Excellency Sir FRANCIS BERNARD, Baronet, from the Government of this Province, for Reasons to be mentioned; and the Question being put, Pass'd unanimously in the Affirmative. Present 109 Members.

The Committee appointed to consider the State of the Province, reported a Petition to the King's Most Excellent Majesty.

Read in Paragraphs.

## *Post-Meridiem.*

Petition to the  
KING read  
again.

The Petition to his Majesty reported in the Forenoon, was read again, and unanimously accepted, present 95 Members.

*Ordered*, That the Petition to the King be taken into a fair Draft, and signed by the Speaker, to be transmitted to such Gentleman, as this House may appoint, to present it to his Majesty; or in Case the House shall appoint no Person, that the Speaker transmit the same to such Gentleman as he shall think proper, for the Purpose aforesaid.

Then the Committee, having desired it, had Leave to sit again.

*Ordered*,



*Resolved*, That this House will consider of some suitable Person to whose Care to transmit the Petition to his Majesty, To-Morrow at Eleven o'Clock.

*Ordered*, That the Treasurer be directed to give public Notice to the Possessors of Government Securities, that were due the 20th Instant, that they bring them into the Treasury by the 20th of July next, in Order to be paid off, as no Interest will be allowed upon said Notes from that Time.

Sent up for Concurrence.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MERCURI, 28 Die Junii, A. D. 1769.

THE House considered the Order of Council on the Petition of the Town of *Sutton*, viz. In Council, *June 27, 1769.*

Read and *Ordered*, That this Petition, with the Answer be revived, and that the Committee appointed in *June* last, to settle the Line between the Towns of *Sutton* and *Uxbridge*, agreeable to the Intention of their original Grants, do now take the same into Consideration, and make report.

Sent down for Concurrence. Read and concur'd.

*Ordered*, That the Petition of a Number of Inhabitants of *Reading*, be revived.

Read and *Ordered*, That the adverse Party be notified to make Answer on Tuesday next, by serving them with a Copy of the Petition.

Sent up for Concurrence.

The Committee on the Petition of *Nathaniel Donnel*, Esq; reported a Draft of a Letter to the Agent on the Subject.

Read and re-committed.

*Jeremiah Powell*, Esq; brought down the Petition of *James Lock*. Pass'd in Council, viz. In Council *June 28, 1769.*

Read, and no Answer being made, *Ordered*, That this Petition be revived; and that *James Russell*, Esq; with such as shall be joined by the honorable House, be a Committee to take the same into Consideration, and report.

Sent down for Concurrence. Read and concur'd, and Col. *Warren* and Mr. *Hall* are joined.

*Jeremiah Powel*, Esq; brought down the Petition of the Inhabitants of *Newbury-Port*, and the Society under the Pastoral Care of the Rev. Mr. *Parsons*.

Pass'd in Council, viz. In Council *June 28, 1769.*

*Ordered*, That *Benjamin Lincoln*, Esq; be of the Committee to consider the said Petition, in the Room of *Gamaliel Bradford*, Esq; who desires to be excused.

Sent down for Concurrence. Read and concur'd.

A Bill for granting to his Majesty several Rates and Duties of Impost and Tonnage on Shipping.

Read a second Time.

K

John

Treasurer directed.

Petition of the Town of Sutton revived.

Petition of Inhabitants of Reading revived.

Revert on Petition of N. Donnel, Esq;

Petition of James Lock bro't down.

Petition of Inhabitants of Newbury-Port bro't down. Bill read.

Petition of  
*Japh. Bicknal*  
bro't down.

*John Bradbury*, Esq; bro't down the Petition of *Japheth Bicknal*.  
Pass'd in Council, viz. In Council June 29, 1769.

Read again. Ordered, That the Petition be revived; and that the Petitioner notify the adverse Party *Thomas Cobbs*, Esq; by serving him with a Copy of this Petition, to shew Cause, on the second Wednesday of next Sessions, why the Prayer should not be granted.  
Sent down for Concurrence.

Petition of  
*David Fish*.

A Petition of *David Fish*, Administrator on the Estate of *John Saylor*, praying for Liberty to sell Eleven Acres of Land in *Dunstable*.

Read and committed to the Committee for the Sale of Lands.

Petition of  
*Eliz. Bartlet*.

A Petition of *Elizabeth Bartlet*, Administratrix on the Estate of her Husband *Samuel Bartlet*, praying for Liberty to sell certain Lands therein mentioned.

Read and committed to the Committee for the Sale of Lands.

Report on  
Petition of  
*Eli Forbes*.

The Committee on the Petition of *Eli Forbes*; reported.

Read and accepted, and Resolved, That there be paid out of the Interest of Sir *Peter Warren's* Donation, the Sum of *Seventy-five Pounds* to Mr. *Eli Forbes*, in full for his Cloathing, Boarding and Instructing the three Indian Children mentioned in the Petition, from June 17, 1763, to June 3, 1769; and further Ordered, That there be paid out of the Interest aforesaid, *Fifteen Pounds* to the said *Eli Forbes*, to enable him to send Home the two Indian Boys, and return them according to his Discretion, he to render an Account of the Disposal of the last mentioned Sum hereafter to the General Court.  
Sent up for Concurrence.

Petition of  
*Sam. Hitchcock*

A Petition of *Samuel Hitchcock*, and others, revived, and the Report of the Committee thereon.

Read and Ordered, That the Petition be committed to Capt. *Sheaffe*, Major *Day*, Col. *Williams*, Capt. *Thayer* and Major *Humphrey*; and the Committee are intrusted to make Enquiry into the State of the Bonds given for Lands sold.

The Committee on the Petition of *Henry Young-Brown*, reported.  
Ordered, That this Report lie on the Table.

A Message from His Excellency the Governor, by Mr. Secretary,  
viz.

Gentlemen of the House of Representatives,

Message from  
his Excellency.

I THINK it proper to inform you that His Majesty has been pleased by his Sign-Manual to signify to me his Will and Pleasure, that I repair to Great-Britain, to lay before him the State of this Province; and has also by his Secretary of State, given Directions for the Administration of this Government during my Absence.

Upon this Occasion I think it necessary to communicate to you the 53d of His Majesty's Instructions, whereby he orders, that when the Governor shall be absent from the Province, one Moiety of the Salary and the Perquisites and Emoluments which would otherwise be due to the Governor, shall, during his Absence, be paid to the Lieutenant-Governor



Governor for his Maintenance, and for the Support of the Dignity of the Government.

I have always considered the Grant of the Salary appointed to me, to be subject to this Instruction; altho' it was not so express in the Act: And I have no Objection at the present Time, when the Absence of the Governor is foreseen, that the Grant of the Salary shall be express to be subject to this Instruction.

And I must at the same Time observe to you, that as I am ordered to attend his Majesty as Governor of this Province, and am made to understand that I am to be continued in that Office, and am instructed for the Appropriation of the Salary, whilst I am absent from the Province, there is the same Reason for the Grant of the Salary now, as there has been at any other Time. I must therefore desire that according to his Majesty's 49th Instruction, such Grant may be made to precede the other Business of the Session.

June 28, 1769.

Fra. Bernard.

Read and Ordered, That this Message from his Excellency the Governor be considered To-morrow at Eleven o'Clock; and the Members enjoined then to attend.

### *Post-Meridiem.*

A Plan of Sixteen Hundred Acres of Land laid out to *Ebenezer Hartshorn*; also a Plan of Five Hundred Acres, laid out to *Peleg Wiswall*, were presented for Allowance. Plans of Lands laid out.

Ordered, That Capt. Fuller, Major Davis and Mr. Paine, consider these Plans and report.

Ordered, That the Report of the Committee on the Petition of *Henry Young Brown*, be considered at Six o'Clock this Afternoon.

The Draft of a Letter on the Petition of *Nathaniel Donnel, Esq;* reported by the Committee, was again read. Draft of a Letter reported.

Ordered, That the same be taken into a fair Draft, and that the Speaker be desired to transmit the same to such Gentlemen in London as he shall think proper, unless the House shall appoint a suitable Person.

Then the House adjourn'd 'till To-Morrow Morning Nine o'Clock.

Jovis, 29 Die Junii, A.D. 1769.



Petition of *Isaac Hodges*, praying for Liberty to sell certain Lands therein mentioned. Petition of Isaac Hodges.

Read and committed to the Committee for the Sale of Lands.

Ordered, That Mr. Saunders, Major Humphrey, Mr. Hancock, Mr. Hall and Capt. Sheaffe, be a Committee to examine the Treasurer's Accounts, and report. Committee on Treasurer's Accounts.

Ordered,



Committee on  
Commissary's  
Gen. Accounts

Bill read.

*Ordered*, That Col. *Otis*, Mr. *Lombard*, Mr. *Otis*, Col. *Bowers* and Mr. *Phillips*, be a Committee to examine the Commissary-General his Accounts, and report.

A Bill *for granting unto his Majesty several Duties of Impost*.

Read a third Time, and pass'd to be engross'd. And,

*Ordered*, That Capt. *Thayer*, Col. *Prebble*, Mr. *Fisher*, Mr. *Harnden* and Major *Doane*, be a Committee to carry this Bill to the honorable Board for Concurrence.

Who returned they had done accordingly.

Petition of  
Inhabitants of  
*Reading*, &c.  
sent up.

The Petition of sundry Inhabitants of *Reading*, and Order on the same, sent up to the honorable Board.

*Ordered*, That *Henry Young Brown*, be heard upon the Subject-matter of his Petition, and the Reports of the Committee thereon, on the Floor on Saturday next, at Eleven o'Clock.

Committee to  
consider his  
Excellency's  
Message.

The House according to Order considered his Excellency's Message of Yesterday, and

*Ordered*, That Mr. *Otis*, Col. *Warren*, Mr. *Hancock*, Capt. *Sheaffe* and Brigadier *Prebble*, be a Committee further to consider the same and report. The said Committee are instructed to wait on his Excellency the Governor, and pray him to lay before the House his Majesty's 49th Instruction.

Petition of  
*Isaac Barnard*  
bro't down.

*Jeremiah Powell*, Esq; brought down the Petition of *Isaac Barnard*, and a Report of a Committee, signed *Samuel Dexter*, per Order. Pass'd in Council, viz. In Council *June 29, 1769*.

Read and accepted, and *Ordered*, That the Line between the Towns of *Sutton* and *Uxbridge*, begin at a large Red-Oak Tree, about 60 Rods Easterly of the House of *Mark Bachelor*, having sundry Marks upon it, and a large Heap of Stones about the Root, being an ancient Monument, and to run from thence South  $7\frac{1}{2}$  Degrees West by the Needle 4 Miles and 20 Rods, to an Heap of Stones called *Draper's Corner*, that, and said Red-Oak Tree being the two Corners mentioned in the Petition of said Town of *Sutton*, and perambulated to by said Town and the Town of *Uxbridge*, from their first Perambulation. And that the Charge of the Committee, amounting to Six Pounds eight Shillings and seven Pence, be paid by the said Town of *Uxbridge*.

Sent down for Concurrence. Read and concur'd.

Report on the  
Gov. Speech  
bro't down.

*Jeremiah Powell*, Esq; brought down the Report of both Houses upon the Governor's Speech, at the Opening of this Session.

Pass'd in Council, viz. In Council *June 29, 1769*.

Read and accepted, and thereupon *Resolved*, That *Royall Tyler* and *Samuel Dexter*, Esqrs; with such as the honorable House shall join, be a Committee to wait on his Excellency with the same.

Sent down for Concurrence,

Read and concur'd with the Amendment at A, and Col. *Williams*, Major *Gallison* and Mr. *Leonard* of *Raynham*, are joined.

Sent up for Concurrence.

The Committee appointed to consider the State of the Province reported.

Read

Read and accepted unanimously, present 107 Members, and  
*Ordered*, That this Report be taken into a fair Draft, and lie on  
 the Table, to be subject to the further Revision of the House.

## *Post-Meridiem.*

A Plan of a Tract of Land of  $6\frac{3}{4}$  Miles square, granted to *Josiah* Plan of Land  
*Richardson*, was presented for Allowance. presented.

*Ordered*, That Capt. *Fuller*, Col. *Gerrish* and Col. *Whitcomb*,  
 consider the same, and report.

The Petition of *Benjamin Root* was brought down from the ho- Petition of  
 norable Board. Pass'd in Council, viz. In Council, June 29, 1769. *Benjamin Root*,  
 bro't down.

Read again, and revived, and *Ordered*, That *Jeremiah Powell*,  
 Esq; with such as the honorable House shall join, be a Committee  
 to consider the Petition and report.

Read and concur'd, and Mr. *Pickering* and Mr. *Porter* are  
 joined. Sent up for Concurrence.

A Petition of the East Parish of *Salem*, praying that they may be Petition of the  
 empowered to raise a Tax for the Purposes mentioned. East Parish of  
*Salem*.

Read and *Ordered*, That Mr. *Batchelor*, Mr. *Lombard*, and  
 Mr. *Allen*, consider the Petition and report.

*Ordered*, That the Consideration of a Grant for the Support of  
 his Majesty's Governor, be further refer'd 'till To-morrow Ten  
 o'Clock.

A Petition of the District of *Ware*, praying that they may be Petition of the  
 empowered to lay a Tax of *one Penny* per Acre on the unimproved District of *Ware*  
 Lands.

Read and committed to Col. *Marcy*, Col. *Noyes* and Capt.  
*Darby*, to consider and report.

A Petition of *Nathaniel Sparhawk*, &c. praying for Liberty Petition of  
 to sell certain Lands therein mentioned. *N. Sparhawk*,  
 &c.

Read and *Ordered*, That the Committee for the Sale of Lands  
 consider this Petition and report.

A Petition of *Ruth Can*, and others, praying for Liberty to sell Petition of  
 certain Lands in the Petition mentioned. *Ruth Can*.

Read and committed to the Committee for the Sale of Lands.

Upon a Motion, *Ordered*, That Capt. *Thayer*, Major *Humphrey*, Motion for  
 Col. *Gerrish*, Col. *Buckminster* and Mr. *Hobson*, be a Committee Supply Bill.  
 to bring in a Supply Bill.

A Petition of *James Kirkwood*, praying for Liberty to sell cer- Petition of  
 tain Land therein mentioned. *J. Kirkwood*.

Read and committed to the Committee for the Sale of Lands.

A Petition of the Inhabitants of the second Precinct in *Hingham*, Petition of the  
 praying that the said Precinct may be made a District. Inhabitants of  
 Precinct in  
*Hingham*.

Read and *Ordered*, That the Petitioners notify the Town of  
*Hingham*, by serving the Town-Clerk with a Copy of the Petition,  
 to shew Cause on the second Wednesday of the next Session of this  
 Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Report on  
Essex County  
Treasurer's  
Account.

The Committee on the Account of the Treasurer of the County of *Essex*, reported.

Read and accepted, and *Resolved*, That the within Account being right cast and well vouched, be allowed ; and that the Treasurer be discharged of the Sum of *three Hundred and fifty-two Pounds ten Shillings*, which he has paid by Order of the Court of Sessions, including his own Commissions ; and that a Balance remains in the said Treasurer's Hands of *four Hundred and forty Pounds ten Shillings and nine Pence*, including the last Year's Assessment on the County of *three Hundred Pounds*, which the Treasurer is still to account for, when he shall receive the same.

Sent up for Concurrence.

Then the House adjourn'd till To-Morrow Morning Ten o'Clock.

VENERIS 30 Die Junii A. D. 1769.

Petition of  
*Hopkinton*  
revived.

\*\*\* UPON a Motion, *Ordered*, That the Petition of *Hopkinton*, entered *January 21, 1768*, be revived.

\*\*\* The Committee on the State of the Province, reported a Letter to the Speaker of the House of Burgesses in *Virginia*.

Read in Paragraphs, and accepted.

*Ordered*, That the same be taken into a fair Draft, and that the Speaker be desired to sign and transmit the same to the honorable *Peyton Randolph*, Esq; as soon as possible.

The House entered into the Consideration of a Grant to his Excellency the Governor.

*Ordered*, That the further Consideration thereof be refer'd to Three o'Clock this Day.

*Resolved*, That this House will now take into Consideration what Sum shall be laid on the Polls and Estates of this Province, by Way of Tax the present Year.

Treasurer directed.

*Ordered*, That the Treasurer be directed to lay upon the Table an Estimate of the Charges of the current Year.

*Ordered*, That the Treasurer be directed to attend the House.

Report on  
*Plymouth* County  
Treasurer's  
Account.

The Committee on the Accounts of the Treasurer for the County of *Plymouth*, reported.

Read and accepted, and *Resolved*, That that the within Account being right cast and well vouched, be allowed ; and that the Treasurer be discharged of *One Hundred and forty-nine Pounds nine Shillings and four Pence*, he has paid by Order of the Court of Sessions, including his own Commissions ; and that a Balance remains in the said Treasurer's Hands of *two hundred and seven Pounds seven Shillings and six Pence*, including the last Year's Assessment on the County, which the said Treasurer is yet to account for, when he shall receive the same.

Sent up for Concurrence.

The



The Committee on the Account of the Treasurer of the County of Bristol, reported. Report on  
Bristol County  
Treasurer's  
Accounts.

Read and accepted, and *Resolved*, That the within Account being right cast and well vouched, (except a Mistake in Voucher N<sup>o</sup>. 16, of *four Shillings & eight Pence*) be allowed; and that there is a Balance due to the said Treasurer of *fifty-two Pounds seventeen Shillings and eleven Pence half-penny*, which he is to receive out of the outstanding Money due from several Towns to said County; the whole of the outstanding Money being *one Hundred and four Pounds two Shillings and ten Pence*; and the Remainder of the outstanding Money being *fifty-one Pounds four Shillings and eleven Pence half-penny*, the present Treasurer *George Godfrey, Esq;* is to account for, when he receives the same. Sent up for Concurrence.

Mr. Secretary *Oliver* laid on the Table a Copy of his Majesty's 49th Instruction to Governor BERNARD.

*Ordered*, That the Committee on the State of the Province bring in an introductory Clause to the Resolves pass'd Yesterday.

A Petition of *Japheth Bicknal* brought down from the honorable Board. Pass'd in Council, viz. In Council, June 28, 1769. Petition of  
*Japh. Bicknal*  
bro't down.

Read again, and *Ordered*, That this Petition be reviv'd, and that the Petitioner notify the adverse Party *Thomas Cobb, Esq;* by serving him with a Copy of the Petition, to shew Cause on the second Wednesday of the next Session of the General Court, why the Prayer should not be granted.

Sent down for Concurrence. Read and concur'd.

## *Post-Meridiem.*

The Committee appointed to inquire in what Manner the Barracks at the Castle and the Province Stores there have been improved the Year past, reported a State of Facts.

*Ordered*, That *Capt. Darby*, Brigadier *Prebble*, *Capt. Thomas*, *Col. Marcy*, and *Mr. Hall*, consider what is proper further to be done, and report.

*Resolved*, That this House will consider of proper Grants to the Civil Officers of the Province, at Eleven o'Clock on Wednesday next.

It was moved that a Committee be appointed to bring in a Bill to enable the Treasurer to borrow a certain Sum. And, *Col. Bowers*, *Mr. Sumner*, *Mr. Gardner*, *Col. Warren* and *Mr. Pickering* were appointed. Committee to  
to enable the  
Treasurer to  
borrow Money.

The Treasurer laid on the Table an Estimate of the Charges of the present Year. Estimate of  
Charges for the  
present Year.

*Ordered*, That the Sum of *Thirty Thousand Pounds* be laid on the Polls and Estates of the Province, by Way of Tax, the present Year.

*Ordered*, That *Col. Williams*, *Capt. Thayer*, *Major Doane*, *Major Humphrey* and *Col. Prescott*, be a Committee to bring in a Tax-Bill.

The

Consideration  
of a Grant to  
his Excellency.

The House entered into the Consideration of a Grant to his Excellency the Governor. After Debate, the Question was put, *Whether this House will now make an absolute Grant of the usual Sum to Sir Francis Bernard, Baronet, Governor of the Province?* And pass'd *unanimously* in the Negative, present 101 Members, the Speaker giving his Voice.

Then Mr. Speaker, Mr. Otis, Mr. Adams, Capt. Sheaffe and Mr. Hancock, were appointed a Committee to make Answer to his Excellency's Message of Wednesday last, and report.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

SABBATI I. Die Julii, A. D. 1769.

Report of a  
Plan of Land  
granted to  
Eb. Hartshorn.



Report of the Committee on a Plan of Land laid out to *Ebenezer Hartshorn*.

Read and accepted, and *Resolved*, That the within Plan of 1493 Acres of Land, delineated and described as is set forth therein: Also another Strip of Land of about 45 Acres, being the whole of the Province Land lying in a Gore between *New-Gloucester* and the *Pejepscut* curv'd Line, as may also appear by the within Plan, be accepted, and hereby is confirmed to Captain *Moses Little*, (a Grantee of *Ebenezer Hartshorn*) to him the said *Moses Little*, his Heirs and Assigns for ever, in Lieu of and in full Satisfaction for the Grant made by the General Court *March 2, 1768*, of 1600 Acres to the said *Ebenezer Hartshorn*, for his Services, Sufferings and Purchases in his Petition mentioned. *Provided*, That both said Pieces of Land do not exceed the Quantity of 1600 Acres, (exclusive of 150 Acres of Marsh and Bogs) nor interfere with any former Grant. Sent up for Concurrence.

Report on  
Accounts of  
Guardians of  
*Hassanamisco*  
Indians.

The Committee on the Accounts of the Guardians of Indians, reported on the Accounts of the Guardians of the *Hassanamisco* Indians.

Read and accepted, and *Resolved*, That the said Account being right cast and well vouched, be allowed; and that the said Guardians be accountable for the Sum of 1744 Ounces and  $\frac{64}{344}$ ths of an Ounce of Silver, being Principal; and that they be further accountable for the Sum of *two Pounds eight Shillings and two Pence* Interest, still remaining in their Hands.

Sent up for Concurrence.

Report on  
Petition of  
*William Arms*.

The Committee on the Petition of *William Arms*, reported.

Read and accepted, and *Ordered*, That the Petitioner serve the within named *John Hinsdel* with a Copy of the Petition, to shew Cause on the second Wednesday of the next Session of this Court, why the Prayer should not be granted.

Sent up for Concurrence.

A Plan of OneThousand Acres of Land laid out to *Joshua Rand*,  
 was presented for Allowance. Plan of Land  
present for Al-  
lowance.

*Ordered*, That Capt. *Fuller*, Col. *Williams* and Mr. *Chandler*,  
 consider this Plan and report.

*Resolved*, That this House will consider of a Person in  
 Great-Britain, to whom to send the Petition to the King, and other  
 Papers pass'd this Session ; or whether they will send a Person from  
 this Province to take the Care of the same, on Wednesday next at  
 Four o'Clock.

*Ordered*, That the Vote of this House of the 28th of *June*, viz. Vote of this  
House reconsi-  
dered.  
 that the Speaker transmit the Letter of this House, on the Pe-  
 tition of *Nathaniel Donnel*, Esq; to such Gentleman as he shall  
 think proper be reconsidered, and that the said Letter be sent up to  
 the honorable Board for their Concurrence.

Sent up for Concurrence.

The Committee on the State of the Province, according to Order,  
 reported an Introduction to the Resolves passed the 29th of *June*,  
 and a further Resolve, which was accepted unanimously.

*Henry Young Brown* was heard on the Floor of the House, ac-  
 cording to Order ; and further *Ordered*, that the Committee confer  
 with Capt. *Brown*, make a Settlement and report ; and Capt. *Sheaffe*,  
 and Brigadier *Prebble* were added to the Committee.

Then the House adjourn'd 'till Tuesday next, Ten o'Clock, A. M.

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# V O T E S

Of the Honorable House of Representatives.

MARTIS, 4 *Die Julii*, A. D. 1769.



Petition of *Eleazer Greaves*, and *Judith* his Wife, Petition of  
E. Greaves, &c.  
praying for Liberty to sell certain Lands therein men-  
tioned.

Read and committed to the Committee for the  
Sale of Lands.

## *Post-Meridiem.*

The Committee on the Account of the Commissary-General, Report on  
Commissary-  
General's Ac-  
counts.  
reported on his Account of Provisions.

Read and accepted, and *Resolved*, That the said Account being  
right cast and well vouched, be allowed, and that the Commissary-  
General be further accountable for seven Barrels of Pork, and seven  
and half Bushels of Peas. Sent up for Concurrence.

The said Committee reported on his Account of Disbursements.

Read and accepted, *Resolved*, That the same being right cast  
and well vouched, be allowed ; and that there is due to him from the  
Province the Sum of *two Pounds seven Shillings and eight Pence*.

Sent up for Concurrence.

The said Committee reported on his Indian Account.

Read and accepted, and *Resolved*, That the said Account being  
right cast and well vouched, be accepted, and that the Commissary-  
General be further accountable for the Sum of *two Thousand four  
Hundred and seventy-six Pounds three Shillings and eight Pence*,  
being the Balance due. Sent up for Concurrence.

Upon a Motion, *Ordered*, That the Committee appointed to  
revise the Laws expired or near expiring, bring in a Bill for the Re-  
vival and Continuance of the Act for regulating Fees, and the Act  
for regulating the Truck Trade with the Indians.

*Ordered*, That Mr. *Hancock*, Capt. *Sheaffe*, and Col. *Williams*,  
with such as the honorable Board shall join, be a Committee in the  
Recess of this Court, to repair to the Treasurer's Office, take an  
Account

Account of the Province Securities which have been redeemed, see the same consumed to Ashes, and report at the next Sitting of this Court.

Sent up for Concurrence.

*Ordered*, That this House will revise the Resolves passed on the 29th of June last, To-morrow at Ten o'Clock; and that the Members be enjoined to attend at that Time.

Report on  
Treasurer General's Account.

The Committee on the Treasurer-General his Account, reported.

Read and accepted, and *Ordered*, That the Treasurer and Receiver-General of this Province, be and he hereby is discharged of the several Sums mentioned in his Account, amounting to *One Hundred and eighty Thousand eight Hundred and sixty-one Pounds sixteen Shillings and five Pence*; and that he be further accountable to the Province for the Sum of *fifty-one Thousand two Hundred and thirty-two Pounds two Shillings and eight Pence*, represented as outstanding Taxes, when received by him into the Treasury, and the Sum of *thirty-eight Thousand nine Hundred and seventy-four Pounds six Shillings and one Penny*, being the Balance remaining in his Hands.

Sent up for Concurrence.

Bill read.

A Bill for the Supply of the Treasury with the Sum of and to be thence issued for discharging the publick Debts, and drawing the same into the Treasury again.

Read a first Time, and *Ordered*, That the Bill be read again To-morrow at Nine o'Clock.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MERCURI, 5 Die Julii, A. D. 1769.

Bill read.



N engros'd Bill for grating to his Majesty several Rates and Duties of Impost and Tonnage of Vessels.

Read and pass'd to be enacted.

Petition of  
J. Grout, &c.

A Petition of Jonathan Grout, and others, praying that an Action commenced at the Inferior Court in the County of Middlesex, the last Term, may be re-hear'd, for Reasons mentioned.

Read and committed to Col. Ward, Mr. Gardner of Stow, and Col. Otis, to consider and report.

The Committee appointed to view the Lands in the County of Barnstable, laid their Accounts upon the Table.

Read and *Resolved*, That the same being well vouched, be allowed; and that the Sum of *twenty-two Pounds seven Shillings and nine Pence half-penny* be allowed and paid out of the public Treasury to Edward Sheaffe, Esq; and Mr. Walter Spooner, in Proportion to their Accounts as above-exhibited.

Sent up for Concurrence.

Petition of  
J. Temple, &c.  
bro't down.

William Sever, Esq; brought down the Petition of John Temple, and others, in Behalf of sundry Inhabitants of Reading.

Pass'd



Pas'd in Council, viz. In Council July 5, 1769.

Ordered, That *Thomas Hubbard, James Russell* and *Samuel Dexter*, Esqrs; with such as the honorable House shall join, be a Committee to take the foregoing Petition and Answer into Consideration, hear the Parties, and report.

Sent down for Concurrence.

Read and concur'd, and Capt. *Sheaffe*, Col. *Otis*, Col. *Williams* and Col. *Ward* are joined. Sent up for Concurrence.

*William Sever*, Esq; brought down the Petition of *Benjamin Spaulding*.

Petition of  
*B. Spaulding*  
bro't down.

Pas'd in Council, viz. In Council July 5, 1769.

Read again and reviv'd, and Ordered, That *William Sever*, Esq; with such as the honorable House shall join, be a Committee to take the Petition and Answer into Consideration, hear the Parties, and make Report.

Sent down for Concurrence.

Read and concur'd, and Mr. *Gardner* of *Stow*, and Col. *Whitcomb* are joined. Sent up for Concurrence.

## Post-Meridiem.

The Committee on the two Plans of a Tract of Land granted to *Joshua Rand*, reported Facts verbally.

Report on  
Plan of Land

Ordered, That the further Consideration thereof be referr'd to the next Session.

The Committee on the Account of the Treasurer for the County of *Barnstable*, reported.

Report on  
*Barnstable*  
County Treas-  
urer's Account

Read and accepted, and Resolved, That the within Account being right cast and well vouched, be allowed; and that the Treasurer be discharged of *One Hundred and seventeen Pounds eleven Shillings and eight Pence*, paid by Order of the Court of General Sessions of the Peace; and that he be further accountable for *One Hundred and eighty-five Pounds six Shillings and five Pence half-penny*, when he shall receive the same.

Sent up for Concurrence.

Ordered, That the Consideration of Grants to Civil Officers be referr'd till To-morrow Four o'Clock.

The House took under Consideration to whose Care to commit the Petition to his Majesty to be presented, and other Matters of Importance. The Question was put, *Whether this House will appoint a Gentleman on this Side the Water to be Agent General at the Court of Great-Britain?* It pas'd in the Affirmative.

Question res-  
pecting an  
Agent.

Ordered, That House will proceed to the Choice of an Agent at Four o'Clock To-Morrow.

Ordered, That Mr. *Otis* go up to the honorable Board to acquaint them that this House have Resolved to proceed to the Choice of a Province Agent at Four o'Clock, to be sent from hence to Great-Britain, and propose to do the same by joint Ballot; and that the House desire the Concurrence of the honorable Board therein.

Who returned that he had delivered the Message.

Report on  
Petition of  
*Ashfield.*

The Committee on the Petition of the Town of *Ashfield*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted ; and that all the Votes and Transactions of the said Town of *Ashfield*, in their several Town Meetings, since their Incorporation to this Time, be and hereby are ratified and confirmed ; any Omissions or Neglect of making due and proper Returns on the several Warrants for calling the same Meetings, or any of them, notwithstanding.

Sent up for Concurrence.

Report on  
Petition of  
*J. Capen.*

The Committee on the Petition of *Jonathan Capen*, Guardian of the *Punkapaug* Indians, reported.

Read and accepted, and *Resolved*, That the Petitioner be and hereby is empowered to make Sale of so much of the Lands belonging to said Indians, as shall amount to *seventy-seven Pounds thirteen Shillings and nine Pence half-penny*, and the Expence of Sale ; and to make and execute a good Deed or Deeds thereof in the Law, he observing the Directions of the Law respecting the Sale of Real Estates, and to be accountable to this Court for his Doings therein.

Sent up for Concurrence.

Report on  
Petition of *W.*  
*Breakinbridge.*

The Petition of *William Breakinbridge*, Agent for the District of *Ware*, reported.

Read and accepted, and *Resolved*, That the Petitioner notify the Heirs and other Proprietors of Land lying within the Limits of the District of *Ware*, by inserting the Substance of this Petition in Two of the *Boston News-Paper* three Weeks successively, that they shew Cause on the third Wednesday of the next Session of the General Court, why the Prayer should not be granted.

Sent up for Concurrence.

Petition of  
Inhabitants of  
*Ipswich*  
bro't down.

*Royall Tyler*, Esq; brought down the Petition of sundry Inhabitants of *Ipswich*. Pass'd in Council, viz. In Council *July 5, 1769.*

Read and *Ordered*, That the Petition be revived, and the Committee appointed thereon the 18th of *June* last, be directed to report.

Read and concurr'd with Amendments.

Sent up for Concurrence.

Report on  
Petition of  
*Rev. S. Badger.*

The Committee on the Petition of the *Rev. Mr. Stephen Badger*, reported.

Read and accepted, and *Resolved*, That the Sum of *fourteen Pounds twelve Shillings and one Penny*, be allowed and paid out of the public Treasury to the Petitioner, in full Discharge of his Account of Disbursements for *Sarah Wampsquam* and *Thankful Figgins* and her Child to this Day ; and that for the Future, the Selectmen or Overseers of the Poor in *Natick*, be and are hereby required to take due Care for the Support of *Sarah Wampsquam*, until this Court shall come into some proper Measures for the Support of all indigent Indians in the Province.

Sent up for Concurrence.

Report of a  
Plan of Land

The Committee to consider the Plan of a Tract of Land, granted to *Peleg Wiswall*, reported.

Read

Read and accepted.

*And whereas it appears that the said Tract of Land was before granted and laid out to Ebenezer Hartshorn :*

*Resolved*, That Twelve Months further be allowed to the Heirs of *Peleg Wiswall*, to lay out the Grant aforesaid, and return a Plan of the same under the Hand of a Surveyor and Chainmen under Oath, for the Acceptance of this Court.

Sent up for Concurrence.

The Committee on the Petition of *Elizabeth Stretton*, reported.

Read and accepted, and *Resolved*, That the Sum of *thirteen Pounds four Shillings*, be allowed and paid out of the Province Treasury to *Elizabeth Stretton*, or her Order, for the Use and Benefit of the Heirs of *Abiah Stretton*, of *Natick*, deceased, in full for his keeping and taking Care of *Sarah Wampsquam*, an aged Indian Woman, sixty-six Weeks.

Report on  
Petition of  
*Eliz. Stretton*.

Sent up for Concurrence.

Then the House adjourn'd till To-Morrow Morning Ten o'Clock.

Jovis, 6 Die Julii, A. D. 1769.



Petition of *Seth Metcalf*, praying to be annexed to the District of *Paxton*.

Petition of  
*Seth Metcalf*.

Read and committed to Major *Foster* and Col. *Williams*, with such as shall be joined by the honorable Board, to consider and report.

Sent up for Concurrence.

A Petition of *John Baker*, and others.

*Ordered*, That the Member from *Ipswich* have Leave to bring in a Bill for the Purpose mentioned in the Petition.

Petition of  
*John Baker, &c.*

A Bill to empower the East Parish in Salem to raise a Tax of Fifty Pounds per Annum upon the Pews and Seats in the Meeting-House in said Parish.

Bill read.

Read three several Times, and pass'd to be engross'd.

A Bill for reviving and continuing sundry Laws expired and expiring.

Read twice. *Ordered*, That the Bill have a third Reading To-morrow Ten o'Clock.

A Petition of *Reuben Morgan*, and others, praying to be annexed to the Town *Northfield*.

Petition of  
*Reuben Morgan*.

Read and committed to Mr. *Pickering* and Mr. *Porter*, to be joined by such as the honorable Board shall appoint, to consider and report.

Sent up for Concurrence.

*William Sever*, Esq; brought down the Petition of *William Arms*.

Petition of  
*William Arms*  
bro't down.

Pass'd in Council, viz. In Council July 5, 1769.

Read and non-concur'd.

*Ordered*, That the Gentlemen to whom all Matters in Controversy between the Petitioner and *John Hinsdel* were submitted, as in the Petition mentioned, be and are hereby fully authorised and



and empowered at any Time within two Months from the Date of this Order, to revise, alter and amend any casual Mistake made in their Award, in pointing and describing certain Bounds therein mentioned, and their Award so altered and amended agreeable to what was the true Intent and Meaning of the Arbitrators, at the Time of making their Award, be deemed and adjudged to be as valid and effectual to all Intents and Purposes, and as obligatory on the Parties therein concerned, as if the same was made and delivered before the Expiration of the Time limited in the Bond of Submission. *Provided*, That before any Alteration or Amendment be made in said Award, the Parties concerned be duly notify'd, and have Opportunity given them to offer to the said Arbitrators what they may think fit, either in Opposition to or Support of the Alteration proposed.

Sent down for Concurrence.      Read and concur'd.

A Message from His Excellency the Governor, by Mr. Secretary,  
*viz.*

Gentlemen of the House of Representatives,

Message from  
his Excellency.

**I** HEREBY communicate to you an Extract of a Letter I have received some Time ago from General Gage, desiring that I would lay before you the Accounts of the Expenditures incurred by Quartering His Majesty's Troops at Boston, that Funds may be provided for discharging the same. I accordingly lay before you the said Accounts, as communicated to me by Col. Robertson, together with a Copy of a Letter from him upon the Subject. The Vouchers referred to in the said Letter are in the Hands of Col. Joseph Goldthwait, who will produce the same to your Order. I desire that you will take these Accounts into your Consideration, and provide proper Funds for discharging the same, so far at least as you are required by Law.

I am also desired by the General to make a Requisition to you, that Provision may be made for the further Quartering his Majesty's Forces in the Town of Boston, and Castle-Island, according to Act of Parliament.—This Provision was made for the 65th Regiment whilst it was quartered in the Castle-Island, by my Order, with the Advice of Council. But now the General Court is sitting, it is proper that you should take Order in this Business, and especially in providing Funds for that Purpose, without which further Provision cannot be made. I desire you would act thereupon as soon as you can, as I understand that the Quartering the 29th Regiment in the Castle Barracks is delayed for Want of it.

July 6, 1769.

Fra. Bernard.

Ordered, That the above Message be considered at Five o'Clock this Afternoon.

Message from  
the Board.

Harrison Gray, Esq; came down to acquaint the House that the Honorable Board agree with this House in their Vote to proceed to the Choice of an Agent, so far as that there be no Restriction with Regard to the Choice of a Gentleman on this or the other Side the Water.

Ordered,

Ordered, That Mr. *Hancock* go up to the honorable Board, and acquaint them that this House concur in the Amendment proposed by the honorable Board respecting the Choice of an Agent. Message to the Board.

Who returned he had delivered the Message.

The Resolves of this House pass'd June 29th, and then ordered to lie for further Revision ; read again, and recommitted, and

Ordered, to be laid before the House in a correct Draft.

## *Post-Meridiem.*

A Petition of *Josiah Lewis*, and *Elisha Doan*, Esq; in Behalf of the District of *Welfleet*, praying to be impowered to sell certain Lands therein mentioned. Petition of J. Lewis, &c.

Read and committed to Col. *Prescot*, Capt. *Sheaffe*, and Major *Hawley*, who are desired to bring in a Bill for the Purposes mentioned.

Ordered, That the Clerk of the Committee of Valuation be directed to furnish the Committee appointed to prepare a Tax Bill, with such Papers as they may have Occasion for.

*Samuel Dexter*, Esq; came down from the honorable Board to acquaint the House that the Board are ready to proceed to the Choice of an Agent agreeable to the Proposal of the House. Message from the Board.

The Question was put, *Whether this House will reconsider their Vote of Yesterday, to appoint an Agent at the Court of Great-Britain?*

Pass'd in the Negative.

Upon a Motion made, Ordered, That the Choice of an Agent be further referred to Eleven o'Clock To-morrow, and that Mr. *Hancock* go up to the honorable Board to acquaint them of this Vote.

Who returned, that he had delivered the Message.

The House entered into a Consideration of proper Grants to the Civil Officers of the Province, and thereupon, Grants to the Civil Officers, viz. To the President.

Resolved, That the Sum of *two Hundred Pounds* be granted and allowed to be paid out of the publick Treasury to the Executors of the last Will of the Rev. Mr. *Edward Holyoke*, late President of *Harvard-College*, deceased, over and above the Rents of *Massachusetts-Hall*, for his Services for nine Months, ending the 10th of *June* last, for the Use of the Heirs of the said *Edward Holyoke*. Sent up for Concurrence.

Resolved, That the Sum of *Fifty Pounds* be granted and allowed to be paid out of the publick Treasury to the honorable *Andrew Oliver*, Esq; Secretary of this Province, for his Services for one Year, ending the 6th of *December* last. Sent up for Concurrence. Secretary.

Resolved, That the Sum of *Ninety Pounds* be granted and allowed to be paid out of the publick Treasury to the honorable *Andrew Oliver*, Esq; Secretary of this Province, in Consideration of his extraordinary Services to the 6th of *December* last. Secretary.

Sent up for Concurrence.

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*Resolved,*

Treasurer. *Resolved*, That the Sum of *two Hundred and sixty-seven Pounds* be granted and allowed to be paid out of the publick Treasury, to the honorable *Harrison Gray*, Esq; Treasurer and Receiver-General of his Majesty's Revenues in this Province, for one Year's Service, ending the 23d Day of *December* last.

Sent up for Concurrence.

Speaker. *Resolved*, That there be granted and allowed to be paid out of the publick Treasury, the Sum of *four Shillings per Diem*, to the honorable *Thomas Cushing*, Esq; Speaker of the House, for every Day of his Attendance in the General Court, from the Opening of the Session on the 25th Day of *May*, 1768, to the 30th Day of *June* following.

Sent up for Concurrence.

Hollisian-Professor of Divinity. *Resolved*, That there be granted and allowed to be paid out of the publick Treasury, to Mr. *Edward Wiggleworth*, Hollisian-Professor of Divinity at *Harvard-College* in *Cambridge*, the Sum of *One Hundred Pounds*, as a Gratuity in Consideration of his faithful Discharge of the great and important Trust reposed in him for one Year ending the 25th Day of *January* last.

Sent up for Concurrence.

Hol. Professor Mathematicks. *Resolved*, That there be granted and allowed to be paid out of the publick Treasury to *John Winthrop*, Esq; Hollisian-Professor of Mathematicks and Natural Philosophy at *Harvard-College* in *Cambridge*, the Sum of *One Hundred Pounds*, as a Gratuity in Consideration of his faithful Discharge of the great and important Trust reposed in him for one Year ending the 13th Day of *January* last.

Sent up for Concurrence.

Chaplains of Castle. *Resolved*, That there be granted and allowed to be paid out of the publick Treasury to the Chaplains who officiated at *Castle-William* (to each in Proportion to the Time he officiated) the Sum of *Forty Pounds*, in Consideration of their faithful Discharge of their Trust for one Year ending the 25th Day of *January* last.

Sent up for Concurrence.

Lieutenant of the Castle. *Resolved*, That there be granted and allowed to be paid out of the public Treasury the Sum of *Fifty Pounds* to *John Phillips*, Esq; Lieutenant of his Majesty's Garrison at *Castle William*, in Consideration of his faithful Discharge of that Trust for one Year, ending the 26th of *January* last.

Sent up for Concurrence.

Professor of Hebrew. *Resolved*, That there be granted and allowed to be paid out of the public Treasury the Sum of *Thirty Pounds* to Mr. *Stephen Sewall*, Professor of the Hebrew and other oriental Languages, at *Harvard-College*, as a Gratuity in Consideration of his faithful Discharge of that important Trust the last Year.

Sent up for Concurrence.

Chaplain. *Resolved*, That there be granted and allowed to be paid out of the public Treasury the Sum of *Six Pounds* to the Rev. Dr. *Samuel Cooper*, Chaplain to the honorable Board and House of Representatives the last Year.

Sent up for Concurrence.

Commissary-General. *Resolved*, That there be granted and allowed to be paid out of the public Treasury to the Hon. *Thomas Hubbard*, Esq; Commissary-General,



General, the Sum of *two Hundred Pounds* for one Year's Service, ending the 11th of *January* last.

Sent up for Concurrence.

*Ordered*, That Col. *Bowers*, Col. *Otis* and Mr. *Spooner*, consider of a proper Grant to Mr. *Samuel Adams*, for his Services as Clerk of the House of Representatives the last Year, and report.

*Ordered*, That Mr. *Spooner*, Brigadier *Prebble* and Capt. *Brown* consider of a proper Grant to Mr. *William Baker*, for his Services the last Year, and report.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

VENERIS 7 Die Julii A. D. 1769.



Petition of *Henry Wrightinton*, Administrator on the Estate of *Samuel Jenno*, praying for Liberty to sell certain Lands therein mentioned. Petition of *H. Wrightinton*.

Read and committed to the Committee for the Sale of Lands.

A Petition of *Ebenezer Stedman*, Guardian to *Mary Austin*, and others, Minors, praying for Liberty to sell certain Lands therein mentioned. Petition of *E. Stedman*.

Read and committed to the Committee for the Sale of Lands.

A Petition of *Job Jenno*, Administrator on the Estate of *Sylvanus Tobey*, praying for Liberty to sell Lands. Petition of *Job Jenno*.

Read and committed to the Committee for the Sale of Lands.

A Petition of *Ebenezer Pomroy*, and others, Administrators on the Estate of *Elisha Pomroy*, praying for Liberty to sell certain Lands therein mentioned. Petition of *E. Pomroy*.

Read and committed to the Committee for the Sale of Lands.

The Committee on the Petition of *Jonathan Grout*, and others, reported. Report on Petition of *Jon. Grout, &c.*

Read and accepted, and *Resolved*, That the Petitioners notify the adverse Party, by an attested Copy of the Petition, to shew Cause on the second Thursday of next Sessions, why the Prayer should not be granted; and that Execution be stayed in the mean Time.

Sent up for Concurrence.

The Committee on the Petition of *John Cotton*, reported.

Read and not accepted.

Report on Petition of *John Cotton*.

*Ordered*, That the Committee on the Tax-Bill, be directed to lay on the Town of *Swansey*, the Sum of *Fifty Pounds*, in Part of the Money granted to that Town, by Way of Loan, in 1763.

*John Bradbury*, Esq; brought down the Petition of *Benjamin Spaulding*. Pass'd in Council, viz. In Council July 5, 1769. Petition of *B. Spaulding* bro't down.

The Committee to whom was referred the Consideration of this Petition, finding it inconvenient to proceed therein at present, one of the Parties being absent :

*Ordered*,

*Ordered*, That the Consideration of this Petition, with the Answer, be referred to the first Tuesday of the next Session of the General Court. Sent down for Concurrence. Read and concur'd.

Message from  
the Board.

*James Russell*, Esq; came down to acquaint the House that the honorable Board agree to come to the Choice of an Agent at Eleven o'Clock.

Upon a Motion made, *Ordered*, That Mr. *Otis* go up to the honorable Board, and acquaint them that this House is not yet ready to proceed to the Choice of an Agent; and that the House will by a Message inform the honorable Board when they are ready.

## *Post-Meridiem.*

Plan of Land  
presented for  
Allowance.

A Plan of 600 Acres granted to *Josiah Wolcot*, was presented for Allowance.

*Ordered*, That Capt. *Fuller*, Mr. *Chandler* and Col. *Gerrish*, consider the Plan, and report.

Petition of  
Selectmen of  
*Swansey*.

A Petition of the Select-Men of *Swansey*, praying that a Part of the three Hundred Pounds granted to the Town by Loan, may be remitted.

Read and committed to Mr. *Sumner*, Col. *Marcy*, Capt. *Darby*, Mr. *Wood* and Mr. *Hancock*, to consider and report.

Resolutions of  
*Massachusetts*-  
Assembly.

The RESOLVES passed the 29th of *June*, read and corrected; and *Ordered* to be entered on the Journals.

THE General Assembly of this his Majesty's Colony of the *Massachusetts-Bay*, convened by his Majesty's Authority, and by Virtue of his Writ issued by his Excellency the Governor, under the great Seal of the Province; and this House, thinking it their Duty at all Times to testify their Loyalty to his Majesty, as well as their inviolable Regard to their own and their Constituents Rights, Liberties and Privileges, do pass the following Resolutions to be entered on their Journal.

*Resolved*, That this House do, and ever will bear the firmest Allegiance to our Rightful Sovereign King GEORGE the Third; and are ever ready with their Lives and Fortunes to defend his Majesty's Person, Family, Crown and Dignity.

*Resolved*, as the Opinion of this House, "That the sole Right of imposing Taxes on the Inhabitants of this his Majesty's Colony of the *Massachusetts-Bay*, is now, and ever hath been legally and constitutionally vested in the House of Representatives, lawfully convened according to the antient and established Practice, with the Consent of the Council, and of his Majesty, the King of Great-Britain, or his Governor for the Time being."

*Resolved*, as the Opinion of this House, That it is the indubitable Right of the Subject in general, and consequently of the Colonists, jointly or severally to petition the King for Redress of Grievances; and that it is lawful, whenever they think it expedient to confer with each other, in Order to procure a joint Concurrence, in dutiful Addresses for Relief from common Burthens.

*Resolved*,

*Resolved*, That Governor Bernard by a wanton and precipitate Dissolution of the last Year's Assembly, and refusing to call another, tho' repeatedly requested by the People, acted against the Spirit of a free Constitution ; and if such Procedure be lawful, it may be in his Power whenever he pleases to render himself absolute.

*Resolved*, That a general Discontent, on Account of the Revenue Acts, an Expectation of the sudden Arrival of a Military Power to enforce the Execution of those Acts, an Apprehension of the Troops being quartered upon the Inhabitants, when our Petitions were not permitted to reach the Royal Ear, the General Court at such a Juncture dissolved, the Governor refusing to call a new one, and the People reduced almost to a State of Despair, rendered it highly expedient and necessary for the People to convene by their Committees, associate, consult and advise the best Means to promote Peace and good Order ; to present their united Complaints to the Throne, and jointly to pray for the Royal Interposition in Favour of their violated Rights. Nor can this Procedure possibly be illegal, as they expressly disclaimed all Governmental Acts.

*Resolved*, as the Opinion of this House, That Governor Bernard in his Letters to Lord Hillsborough, his Majesty's Secretary of State, has given a false and highly injurious Representation of the Conduct of his Majesty's truly loyal and faithful Council of this Colony, and of the Magistrates, Overseers of the Poor, and Inhabitants of the Town of Boston, tending to bring on those respectable Bodies of Men, particularly on some Individuals, the unmerited Displeasure of our gracious Sovereign ; to introduce a Military Government, and to mislead both Houses of Parliament into such severe Resolutions, as a true, just and candid State of Facts must have prevented.

*Resolved*, That Governor Bernard in the Letters before mentioned, by falsely representing that it was become " necessary the King " should have the Council Chamber in his own Hands, and should " be enabled by Parliament, to supercede by Order in his Privy " Council Commissions granted in his Name and under his Seal " throughout the Colonies," has discovered his Enmity to the true Spirit of the British Constitution, to the Liberties of the Colonies ; and has struck at the Root of some of the most invaluable Constitutional and Charter Rights of this Province : The Perfidy of which, at the very Time he profess'd himself a warm Friend to the Charter is altogether unparalleled by any in his Station, and ought never to be forgotten.

*Resolved*, That the Establishment of a Standing Army in this Colony in a Time of Peace, without the Consent of the General Assembly of the same, is an Invasion of the natural Rights of the People, as well as of those which they claim as freeborn Englishmen, confirmed by Magna Charta, the Bill of Rights as settled at the Revolution, and by the Charter of this Province.

*Resolved*, That a Standing Army is not known as a Part of the British Constitution in any of the King's Dominions ; and every attempt



tempt to establish it has been esteemed a dangerous Innovation, manifestly tending to enslave the People.

*Resolved*, That the sending an armed Force into this Colony, under a Pretence of aiding and assisting the Civil Authority, is an Attempt to establish a Standing Army here without our Consent ; is highly dangerous to this People ;—is unprecedented, and unconstitutional.

*Resolved*, That whoever has represented to his Majesty's Ministers, that the People of this Colony in general, or the Town of Boston in particular, were in such a State of Disobedience and Disorder, as to require a Fleet and Army to be sent here, to aid the Civil Magistrate, is an avowed Enemy to this Colony, and to the Nation in general ; and has by such Misrepresentation endeavoured to destroy the Liberty of the Subject here, and that mutual Union and Harmony between Great-Britain and the Colonies, so necessary for the Welfare of both.

*Resolved*, as the Opinion of this House, That the Misrepresentations of the State of this Colony, transmitted by Governor Bernard, to his Majesty's Ministers, have been the Means of procuring the Military Force now quartered in the Town of Boston.

*Resolved*, That whoever gave Order for Quartering even common Soldiers and Camp Women in the Court-House in Boston, and in the Representatives Chamber, where some of the principal Archives of the Government had been usually deposited ; making a Barrack of the same, placing a Main Guard with Cannon pointed near the said House, and Centinels at the Door, *designed* a high Insult, and a triumphant Indication that the Military Power was Master of the whole Legislative.

WHEREAS his Excellency General Gage in his Letter to Lord Hillsborough, dated October 31<sup>st</sup>, among other exceptionable Things expressed himself in the following Words ; “ From what has been “ said, your Lordship will conclude, That there is no Government “ in Boston ; in Truth there is very little at present, and the Constitution of this Province leans so much to the Side of Democracy, “ That the Governor has not the Power to remedy the Disorders “ that happen in it.”

*Resolved*, as the Opinion of this House, That his Excellency General Gage, in this and other Assertions, has rashly and impertinently intermeddled in the Civil Affairs of this Province, which are altogether out of his Department ; and of the internal Police of which, by his Letter, if not altogether his own, he has yet betrayed a Degree of Ignorance equal to the Malice of the Author.

With Respect to the Nature of our Government, this House is of Opinion, that the Wisdom of that great Prince William the Third who gave the Charter, aided by an able Ministry, and Men thoro'ly versed in the English Constitution and Law ; and the happy Effects derived from it to the Nation, as well as this Colony, should have placed it above the Reprehension of the General, and led him to enquire, whether the Disorders complained of, have not arisen from  
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an arbitrary Disposition in the Governor, rather than from too great a Spirit of Democracy in the Constitution. And this House cannot but express their deep Concern, that too many in Power at Home and Abroad, so clearly avow not only in private Conversation, but in their public Conduct, the most rancorous Enmity against the *free Part* of the British Constitution, and are indefatigable in their Endeavours to render the Monarchy absolute, and the Administration arbitrary, in every Part of the British Empire.

*Resolved*, That this House after the most careful Inquiry, have not found an Instance of the Course of Justice being interrupted by Violence, except by a Rescue committed by Samuel Fellows, an Officer in the Navy, and by the Appointment of the Commissioners an Officer also in the Customs; nor of a Magistrate's refusing to enquire into, or redress any Injury complained of: While it is notorious to all the World, that even such Acts of Parliament as by the whole Continent are deemed highly oppressive, have never been opposed with Violence, and the Duties imposed and rigorously exacted, have been punctually paid.

*Resolved*, That the frequent entries of *Nolle Prosequi* by the Attorney and Advocate General, in Cases favorable to the Liberty of the Subject; and rigorous Prosecutions by Information and otherwise in those in Favor of Power, are daring Breaches of Trust, and insupportable Grievances on the People.

*Resolved*, as the Opinion of this House, That the late Extension of the Power of Courts of Admiralty in America, is highly dangerous and alarming; especially as the Judges of the Courts of Common Law, the alone Check upon their inordinate Power, do not hold their Places during good Behaviour: And those who have falsely represented to his Majesty's Ministers, that no Dependence could be had on Juries in America, and that there was a Necessity of extending the Power of the Courts of Admiralty therè, so far, as to deprive the Subject of the inestimable Privilege of a Trial by a Jury, and to render the said Courts of Admiralty uncontrollable by the ancient Common Law of the Land, are avowed Enemies to the Constitution; and manifestly intended to introduce and establish a System of insupportable Tyranny in America.

*Resolved*, as the Opinion of this House, That the constituting a Board of Commissioners of Customs in America, is an unnecessary Burthen upon the Trade of these Colonies, and that the unlimited Power the said Commissioners are invested with of making Appointments, and paying the Appointees what Sums they please, unavoidably tends so enormously to increase the Number of Placemen and Pensioners, as to become justly alarming, and formidable to the Liberties of the People.

*Resolved*, That it is the Opinion of this House, "That all Trials for Treason, Misprision of Treason, or for any Felony or Crime whatsoever, committed or done in this his Majesty's Colony, by any Person or Persons residing therein, ought of Right to be had and conducted in and before his Majesty's Courts held within the said Colony,

Colony, according to the fixed and known Course of Proceedings ; and that the seizing any Person or Persons residing in this Colony, suspected of any Crime whatsoever, committed therein, and sending such Person or Persons to Places beyond the Sea, to be tried, is highly derogatory of the Rights of British Subjects ; as thereby the inestimable Privilege of being tried by a Jury from the Vicinage, as well as the Liberty of summoning and producing Witnesses on such Trial, will be taken away from the Party accused."

Petition of  
*Joseph Root*  
bro't down.

*Isaac Royall*, Esq; brought down the Petition of *Joseph Root*.

Pas'd in Council, viz. In Council *July 7, 1769.*

The Committee having reported that the Parties are now withdrawn, and that there is no Plan to enable them to obtain proper Information ; thereupon,

*Ordered*, That the Consideration of this Petition be referred to the second Wednesday of the next Session.

Sent down for Concurrence. Read and concurr'd.

Petition of  
*Seth Metcalf*  
bro't down.

*Isaac Royall*, Esq; brought down the Petition of *Seth Metcalf*, and a Report of the Committee thereon.

Pas'd in Council, viz. In Council *July 7, 1769.*

Read and accepted, and *Ordered*, That the Petitioner notify the Town of *Rutland*, by serving the Clerk of the Town with a Copy of this Petition, to shew Cause on the second Wednesday of the next Session of the General Court, why the Prayer should not be granted.

Sent down for Concurrence. Read and concurr'd.

Petition of  
*Ezra Putnam*  
bro't down.

*Isaac Royall*, Esq; brought down the Petition of *Ezra Putnam*, and others, and a Report thereon.

Pas'd in Council, viz. In Council *July 7, 1769.*

*Ordered*, That the Petitioners have Leave to bring in a Bill for the Purposes mentioned.

Sent down for Concurrence. Read and concurr'd.

Petition of  
Inhabitants of  
*Newbury-Port*  
bro't down.

*Royall Tyler*, Esq; brought down the Petition of sundry Inhabitants of *Newbury-Port*, and the Report of a Committee,

Signed, *B. Lincoln*, per Order.

Pas'd in Council, viz. In Council *July 7, 1769.*

Read and accepted, and *Ordered*, That the Petition be referr'd to the first Tuesday of the next Sitting of the General Court accordingly. Sent down for Concurrence. Read and concurr'd.

Then the House adjourn'd 'till To-Morrow Morning Nine o'Clock.

SABBATI 8 Die Julii, A. D. 1769.

Petition of  
*S. Williams*  
revived.

*ORDERED*, That the Petition of *Samuel Williams* be revived.

Read and committed to Mr. *Wood*, Mr. *Gardner* of *Stow* and Mr. *Hall*, to consider the same and report.

Bill read.

A Bill Engros'd to enable the East Parish in Salem to raise a Tax of Fifty Pounds on Pews and Seats in the Meeting-House there.

Read and pas'd to be Enacted.

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A Petition of *Benjamin Cudworth*, praying for a Re-hearing of a Cause between him and *Turner*, mentioned in the Petition. Petition of  
*Ben. Cudworth*.

Read and *Ordered*, That the adverse Party be notify'd to shew Cause on the second Wednesday of the next Session of this Court, why the Prayer should not be granted.

Sent up for Concurrence.

The Committee on the Petition of *Henry Young Brown*, reported. Report on  
Petition of  
*H. Y. Brown*.

*Ordered*, That this Report lie on the Table.

Upon a Motion made, *Ordered*, That the Clerk be directed to publish in the the *Boston News-Papers* an attested Copy of the Resolves of this House, as entered Yesterday on the Journal. Clerk directed.

His Excellency's Message of the 6th Instant, and the Papers accompanying the same, were read again. Excel. Message,  
read again.

*Ordered*, That *Col. Otis*, Major *Hawley*, *Col. Williams*, *Mr. Adams*, *Mr. Otis*, *Col. Ward*, and *Mr. Hancock*, be a Committee to consider the said Message and Papers, and report.

*Ordered*, That *Mr. Hancock* go up to the honorable Board, and desire they would send down the Commissary-General's Accounts, if not yet laid before the Governor. Message to the  
Board.

Who returned he had delivered the Message.

*James Pitts*, Esq; brought down the Commissary-General his Accounts, and laid them on the Table.

*Ordered*, That the Commissary-General be directed to lay on the Table a particular Account of the Expences charged in his Account for his Majesty's 65th Regiment at *Castle-William*.

*Ordered*, That the Committee appointed to prepare the Evidence in Support of the Petition to the KING, be directed to sit and report forthwith—*Col. Williams* on the Committee in the Room of Mr. Speaker.

The Committee on the Plan of a Tract of Land granted to *Josiah Richardson*, reported. Report on  
Plan of Land  
granted to  
*J. Richardson*.

Read and accepted, and *Resolved*, That the within Plan of a Township of the Contents of six Miles and three Quarters square, granted to *Josiah Richardson*, and others, mentioned in their Petition, whose Ancestors were in the Expedition against *Canada* in 1690, (bounded as follows, viz. beginning at an Heap of Stones one Mile and a Quarter Northward of *Androscoggin-River*, thence running South 20 Degrees East, crossing said River by a White Wood Tree, near the Mouth of a Brook known by the Name of *Hacket's Brook*, four Miles and an half; thence North 70 Degrees East nine Miles; thence North 20 Degrees West four Miles and an half, crossing said River; thence West 2 Degrees South four Miles; thence West 35 Degrees South five Miles and one Hundred and twenty Rods, to the Corner first mentioned) be accepted, and hereby is confirmed to the aforesaid Petitioners, their Heirs and Assigns for ever: They complying with the following Conditions, viz. The Grantees within six Years settle seventy-nine Families in said Township, build an House fit for public Worship, and settle a learned Protestant Minister;

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ster ; and lay out one eighty-third Part for the first settled Minister, one eighty-third Part for the Use of the Ministry, one eighty-third Part for the Use of a School in said Town, and one eighty-third Part for the Use of *Harvard-College* for ever. *Provided* the same doth not exceed the Quantity of six Miles and three Quarters square, (being nine Thousand one Hundred and fifty Acres) exclusive of seven Hundred and twenty Acres Allowance for Part of *Androskoggin* River in said Township, nor interfere with any former Grants ; one Rod in Thirty being allowed for Swag of Chain and no more.

Sent up for Concurrence.

Report on  
Petition of  
Inhabitants of  
*Ashburnham*.

The Committee on the Petition of the Inhabitants of *Ashburnham*, reported.

Read and *Resolved*, That the Petitioners have Leave to bring in a Bill for the Purposes mentioned in the Petition.

Message to the  
Board.

*Ordered*, That a Message be sent up to the honorable Board, to enquire whether they have pass'd on the Petition of the Inhabitants of the first Parish in *Rocheſter*, respecting their ministerial Lands.

Petition of  
*A. Oliver, Esq;*

A Petition of *Andrew Oliver, Esq;* Secretary ; praying for a Grant to enable him to pay for Assistance in his Office, for which no Grant was made.

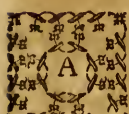
*Ordered*, That Brigadier *Prebble*, Capt. *Thomas* and Col. *Williams*, consider this Petition and report.

Then the House adjourn'd 'till Monday next, Ten o'Clock, A. M.

# V O T E S

Of the Honorable House of Representatives.

LUNÆ 10 Die Julii, A. D. 1769.

 Petition of the Select-Men of the Town of *Boston*, Petition of Select-Men of Boston. praying that this Court would give such Direction as shall be judged meet, for the necessary Repair of the Hospital in said Town.

Read and committed to Col. *Williams*, Mr. *Hall* and Mr. *Spooner*, to consider the Petition and report.

A Petition of the Select-Men of the Town of *Boston*, praying that the Choice of Mr. *Robert Pierpoint* to collect outstanding Taxes in said Town, mentioned in the Petition, may be confirmed. Petition of Select-Men of Boston.

Read and Ordered, That Mr. *Hancock* bring in a Bill for the Purpose.

The Committee appointed to bring in a Tax-Bill reported A Bill Bill read. for apportioning and assessing a Tax of Thirty Thousand Pounds.

Read a first Time, and Ordered, That the Bill be read a second Time this Afternoon at Three o'Clock.

## Post-Meridiem.

A Bill for apportioning and assessing a Tax of Thirty Thousand Bill read. Pounds.

Read a second Time, and recommitted for Amendment.

A Petition of *Robert Ball*, Keeper of the Light-House in *Boston* Harbour ; praying for an Allowance for his Service the Year past, and for Expence set forth in the Petition. Petition of Robert Ball.

Read and committed to Brigadier *Prebble*, Mr. *Durfee*, and Mr. *Pickering*.

The Committee on the Petition of the honorable *Andrew Oliver*, Esq; Secretary of the Province, made report. Report on Petition of Hon. A. Oliver.

Read and accepted, and Resolved, That the Sum of *One Hundred Pounds* be allowed and paid out of the publick Treasury to the honorable *Andrew Oliver*, Esq; Secretary of this Province, to enable



ble him to pay for Assistance in his Office for one Year, ending the Sixth Day of *December* last. Sent up for Concurrence.

The Committee appointed to consider a proper Grant to Mr. *William Baker*, for his Services, made report.

Read, and *Ordered* to lie on the Table.

Upon a Motion made, *Ordered*, That the Bill for the Supply of the Treasury, be recommitted for Amendment to Mr. *Pickering*, Major *Humphrey* and Mr. *Hall*.

Petition of  
*John Haskins*.

A Petition of *John Haskins*, Collector of the Duty of Excise on Tea, Coffee, and China-Ware, in 1762, setting forth the Loss he sustained, and praying the Consideration of this Court.

Read and *Ordered*, that this Petition be dismissed.

Then the House adjourn'd 'till To-Morrow Morning Nine o'Clock.

MARTIS, 11 *Die Julii*, A. D. 1769.

Bill read.



Bill for apportioning and assessing the Sum of Thirty Thousand Pounds.

Read a third Time with Amendments, and pass'd to be engross'd, and

*Ordered*, That Brigadier *Prebble*, Mr. *Batchelor*, Mr. *Porter*, Mr. *Hancock* and Capt. *Read*, carry the Bill up to the honorable Board for Concurrence.

Petition of  
*David Hide*.

A Petition of *David Hide*, praying that a Fine laid on him by the Court of General Sessions of the Peace for the County of *Hampshire*, as mentioned in the Petition, may be remitted for Reasons offered.

Read and *Ordered*, That Mr. *Gardner* of *Stow*, Brigadier *Prebble* and Mr. *Sumner*, consider the Petition and report.

It was moved that a Message go up to the honorable Board, to acquaint them that this House is now ready to proceed to the Choice of an Agent.

Petition of  
*B. Leigh, &c.*

*Ordered*, That this Motion be considered at Four o'Clock, P.M.

A Petition of *Benjamin Leigh* and *John Alman*, praying for the Loan of a certain Sum to encourage them in the Manufacture of Stone Ware.

Read and committed to Mr. *Spooner*, Col. *Whitcomb* and Mr. *Hall*.

Report on  
Petition of  
*Mary Merrick*.

The Committee on the Petition of *Mary Merrick*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, so far as that the Petitioner be and hereby is fully authorised and empowered to make Sale of fifty Acres out of each Right mentioned in the Petition, and to execute a good Deed or Deeds in Law of the same; she observing the Direction of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Middlesex*, that the Money arising by said Sale be applied for the Purposes mentioned in the Petition.

Sent up for Concurrence.

*James*

*James Pitts*, Esq; brought down the Petition of *Samuel Greenleaf*, in Behalf of *Newbury-Port*, and a Report thereon.

Petition of  
*S. Greenleaf*,  
brou't down.

Pas'd in Council, viz. In Council *July 11, 1769.*

Read and accepted, and *Ordered*, That the Petitioner have Leave to bring in a Bill.

Sent down for Concurrence. Read and concurr'd.

The Committee on the Petition of *Henry Wrightinton*, reported.

Report on  
Petition of  
*H. Wrightinton*.

Read and accepted, and *Resolved*, That the Prayer be granted, and the Petitioner is hereby empowered to make Sale of so much of the Real Estate of the Deceased, as will fetch the Sum of *ninety-seven Pounds*, where it can be best spared, and to execute a good Deed or Deeds, he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Bristol*, that the Money be applied for the Purposes mentioned in the Petition.

Sent up for Concurrence.

The Committee on the Petition of *Job Jenne*, reported.

Report on  
Petition of  
*Job Jenne*.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make Sale of the Real Estate of the said Deceased, and execute a good Deed or Deeds, observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Bristol*, that the Money be applied for the Purposes mentioned.

Sent up for Concurrence.

The Report of the Committee on the Petition of *John Cotton*.

Report on  
Petition of  
*John Cotton*.

Read and recommitted. *Ordered*, That Major *Doan* and Mr. *Lombard* be of the Committee, in the Room of Mr. *Hancock* and and Col. *Marcy*, who are excused.

The Committee on the Petition of the Select-Men of *Boston*, reported.

Report on  
Petition of  
Select-Men of  
*Boston*.

Read and accepted, and *Ordered*, That the Select-Men of the Town of *Boston*, be and hereby are directed to erect and build a Head-Wharff or Sea-Wall of Stone, against the Salt-Water, at the Province-Hospital at *West-Boston*, and such other small Repairs as may be thought needful, for securing and preserving the said Hospital; and lay their Accounts of Disbursements and Expences before this Court as soon as may be, for their Approbation.

Sent up for Concurrence.

The Committee on the Petition of *Robert Ball*, reported.

Report on  
Petition of  
*Robert Ball*.

*Resolved*, That the Sum of *Sixty Pounds* be allowed and paid out of the publick Treasury to *Robert Ball*, for his Service as Keeper of the Light-House one Year, ending *November 15, 1768*: Also, the further Sum of *sixteen Pounds five Shillings and four Pence*, for thirty Cords of Wood expended.

Sent up for Concurrence.

The Committee appointed to consider a proper Grant to Mr. *Samuel Adams*, reported, and thereupon,

Grant to Mr.  
*Samuel Adams*.

R

*Resolved*,

*Resolved*, That there be allowed and paid out of the publick Treasury the Sum of *Sixty Pounds* to Mr. *Samuel Adams*, for his Services ordinary and extraordinary, as Clerk to the House of Representatives the last Year. Sent up for Concurrence.

Grant to Mr.  
Wm. Baker.

The Report of the Committee appointed to consider a proper Grant to Mr. *William Baker* was made.

*Resolved*, That there be allowed and paid out of the publick Treasury the Sum of *One Hundred Pounds* to Mr. *William Baker*, for his Services as Door-Keeper to his Excellency the Governor for one Year, to be paid Quarterly. Sent up for Concurrence.

Grant to the  
Justices of the  
Superior Court.

*Resolved*, That the Sum of *eight Hundred Pounds* be granted and allowed to be paid out of the publick Treasury, to the honorable the Justices of the Superior Court of Judicature, Court of Assize and General Goal Delivery, for their Services for one Year, ending the first Day of *January* last. Sent up for Concurrence.

The Accounts of divers Persons employed as Clerks to the Committee of Valuation the last Year, were laid on the Table.

Read and *Ordered*, That Brigadier *Prebble*, Capt. *Kingsberry*, Major *Doane*, Mr. *Durfee* and Mr. *Hobson*, consider the same and report.

Bill read.

A Bill for supplying the Treasury with the Sum of Eighty-eight Thousand one Hundred and fifty-eight Pounds, to be thence issued for the Discharge of the publick Debts, and drawing the same into the Treasury again.

Read a third Time, and pass'd to be engros'd.

Sent up by Col. *Ward*, Col. *Williams*, Col. *Brigham*, Major *Humphrey* and Major *Foster*.

Bill read.

A Bill to empower the Inhabitants of *Newbury-Port* to raise Money for defraying the Ministerial and other incidental Charges in said Town.

Read a first Time, and *Ordered*, That the Bill be read again To-morrow at Eleven o'Clock.

Report on  
Petition of  
S. Williams.

The Committee on the Petition of *Samuel Williams*, reported.

Read and accepted, and *Resolved*, That the Prayer of the Petition be so far granted, as that the Petitioner be and hereby is abated the Sum of *forty-one Pounds six Shillings and eight Pence*, Part of the Sum of *sixty-one Pounds six Shillings and eight Pence*, mentioned in his Petition; and that he pay only the Sum of *Twenty Pounds* and Cost of Court, in full Satisfaction for the Sum mentioned. Sent up for Concurrence.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MERCURI, 12 Die Julii, A. D. 1769.

Petition of  
H. T. Brown  
recommitted.

THE Report of the Committee on the Petition of *Henry Young Brown*.  
Read and recommitted.

The



The Committee again reported, accepted, and *Resolved*, That the Petitioner, *Henry Young Brown*, be allowed and paid out of the Province Treasury, the Sum of *ninety-five Pounds* in full Discharge of his Account and all Expences and Charges of Courts which have arisen in his prosecuting the Orders of the General Court in *June 1766*, as mentioned in his Petition; and that he proceed no further in the Law at the Expence of this Province, until the Line between this Province and the Province of *New-Hampshire* shall be fully settled and determined, and until the further Order of this Court; and that Major *Humphry*, Mr. *Hobson* and Mr. *Lombard*, with such as the honorable Board shall join, be a Committee to proceed to *Pigwacket*, at the Petitioner's Expence, and make a particular Examination of what hath been done by him, and those settled under him, on the Lands which are in Dispute between *Warren's* Line and *Bryant's* Line; and also examine the Resolves, Orders and Directions of the General Court, respecting their Grant, &c. to the Petitioner; and also to make a particular Enquiry, whether it was not evident at the Time of the Grant of the above-mentioned Land, that it did not interfere with any other Grant. The Committee to draw up a proper State of the whole Affair, that Truth may appear, and report their Opinion at the next Sitting of the Court, what is necessary for this Court to do, in order that Justice may be done both to the Government and the Petitioner; and that he be allowed to take a Survey of so much of the unappropriated Land of this Province to the Eastward of *Saco-River*, as the above-mentioned Committee shall direct, and make out a Plan of the same to be returned to the General Court, for them to act upon as they shall think proper. Such Survey to be taken by a Surveyor and Chainmen under Oath. Sent up for Concurrence.

The Committee to wait on the Governor with an Answer to his Message of *June 28*, reported that they had delivered the Message.

*Ordered*, That Major *Humphrey*, Capt. *Fuller* and Mr. *Gardner* of *Stow*, bring in a List of the Travel and Attendance of the Members of this House.

The House took into Consideration the Motion made Yesterday to send a Message to the honorable Board to acquaint them that this House is ready to proceed to the Choice of an Agent; and the Question being put, It pass'd in the Negative.

Question on an Agent.

Upon a Motion made, *Ordered*, That the further Consideration of the Bill for empowering the Inhabitants of *Newbury-Port* to raise Money for defraying the ministerial and other incidental Charges in said Town, be referred to the next Session of this Court, and that in the mean Time no Taxes for the Support of the Ministry or other incidental Charges in the first Parish in *Newbury*, shall be laid or assessed upon any Person or Persons belonging either to the Town of *Newbury* or *Newbury-Port*, who have Petitions now depending in this Court, praying for Relief in the Premises, until such Petitions shall be pass'd upon in this Court, unless by mutual Agreement of the Parties.

Bill empowering the Inhabitants of *Newbury-Port* to raise Money, refer'd.

Bill read.

A Bill for revival and continuing of sundry Laws expired or near expiring.

Read a third Time, and pass'd to be engross'd.

A Message from His Excellency the Governor, by the Deputy-Secretary, viz.

Gentlemen of the House of Representatives,

Message from his Excellency.

AS the Session is drawing to a Conclusion, I must desire that you will give an Answer to my Message of Thursday last, and that you will distinguish between the Charges arising from the hiring of Barracks and furnishing them, and the Charges of purchasing such Provisions as are directed by Act of Parliament to be provided by the Province; and that you will also give an Answer, whether you will or will not establish Funds for the future supplying Provisions, according to Act of Parliament, to the Troops quartered in Barracks in the Town of Boston, or which shall or may be quartered in the Provincial Barracks on the Castle-Island, or either of them. And I desire that you will be explicit and distinct in these Particulars, that there may be no Mistake in the Report of your Resolutions on these Heads.

In my former Message I omitted to inform you that the Barracks on Castle-Island will not conveniently hold a Regiment without an additional Building for Officers Rooms;—the want of such a Building has been enquired into by the Commissary and found to be real; and an Estimate of the Expence has been made, which I understand amounts to Two Hundred and Sixty Pounds. I desire that you will take this also into your Consideration, and let me know your Resolution thereupon.

July 12, 1769.

Fra. Bernard.

Read and Ordered, That this Message be considered at Five o'Clock this Afternoon.

Bill read.

A Bill to prevent the Destruction of Alewives and other Fish in Ipswich-River, and to encourage the Increase of the same.

Read a first Time, and Ordered, That this Bill have a second Reading at Three o'Clock this Afternoon.

## Post-Meridiem.

Ordered, That a Message go up to the honorable Board, to enquire whether they had concurred the Supply Bill.

Petition of H. Gray, Esq;

A Petition of Harrison Gray, Esq; Treasurer and Receiver-General, setting forth extraordinary Services, and praying for an Allowance therefor.

Read and committed to Mr. Hall, Mr. Remington and Mr. Pickering.

Samuel Dexter, Esq; came down to acquaint the House that the honorable Board had unanimously nonconcurr'd the Supply Bill.

Ordered,

*Ordered*, That a Message go to the honorable Board to desire they would send down the Supply-Bill.

Message to the Board.

*Isaac Royall*, Esq; brought down the Supply-Bill, and laid the same on the Table.

The Report of the Committee on a Plan of Six Hundred Acres of Land, granted to *Josiah Wolcot*, was made.

Report of a Plan of Land

Read and referr'd to the next Session of this Court.

It was moved that a Committee be appointed to confer with a Committee of the honorable Board, respecting their Non-concurrence of the Supply-Bill; and *Col. Otis*, Major *Hawley* and Mr. *Leonard* were appointed accordingly.

Sent up for Concurrence.

A Bill for preventing the Destruction of Fish in Ipswich River. Bill read.

Read a second Time.

*Ordered*, That Mr. *Farley* go up to the honorable Board to desire they would send down the Petition of a Number of Inhabitants of *Ipswich*, and others.

A Petition of *Catharine Wheeler*, setting forth that an Action was commenced against her by *Joseph Brightman*, of *Boston*, and tryed at an Inferior Court held at *Charlestown* on the second Tuesday in *December* 1764, whereupon Judgment was recovered against her; and praying that Execution may be stayed by Order of this Court; and that she may have further Opportunity of defending herself, for Reasons mentioned.

Petition of C. Wheeler.

Read and committed to Mr. *Harwood*, Capt. *Barrett* and Mr. *Gardner* of *Stow*.

A Petition of *Miriam Billing* and *Joseph Billing*, Executors to the Estate of *Ebenezer Billing*, praying for Liberty to sell certain Lands mentioned therein.

Petition of M. & J. Billing.

Read and committed to the Committee for the Sale of Lands.

*Ordered*, That Mr. *Hancock* go up to the honorable Board, to enquire whether they have concurred the Vote of this House to confer with the honorable Board, respecting their Non-concurrence of the Supply-Bill.

Message to the Board.

Who returned he had delivered the Message.

*Harrison Gray*, Esq; came down to acquaint the House that the Board had taken into Consideration the Vote of this House appointing a Committee to confer with a Committee of the honorable Board, respecting their Non-concurrence of the Supply-Bill, and unanimously non-concur'd the same.

*Ordered*, That private Business subside, and that the House proceed to the publick Business of the Session.

*Ordered*, That the Committee to consider the State of the Province, be directed to sit, and make full Report as soon as may be.

The Governor's Message of this Forenoon was read again, and committed to *Col. Otis*, Major *Hawley*, *Col. Williams*, Mr. *Adams*, Mr. *Otis*, *Col. Ward* and Mr. *Hancock*; and the Committee directed to sit forthwith.

Excel. Message. read again.



Bill read.

A Bill to enable Robert Pierpoint to collect the Taxes uncollected by Samuel Adams, late a Collector of Taxes in Boston.

Read a first, second and third Time, and pass'd to be engross'd.

Ordered, That Col. Williams, Major Humphrey, Col. Ward, Mr. Greenleaf and Mr. Saunders, be a Committee to bring in a Supply-Bill.

Bill read.

A Bill for preventing the Destruction of Fish in Ipswich River.

Read a third Time, and pass'd to be engross'd.

Then the House adjourn'd 'till To-Morrow Morning Nine o'Clock.

Jovis, 13 Die Julii, A. D. 1769.

Bill read.

N Engross'd Bill for reviving and continuing sundry Laws expired or near expiring.

Read and pass'd to be Engross'd.

Report on  
Middlesex  
County Treas-  
urer's Account

The Committee on the Account of the Treasurer of the County of Middlesex, reported.

Read and accepted, and Resolved, That the said Account being right cast and well vouched, be allowed; and that the Treasurer be discharged of the Sum of three Hundred and sixteen Pounds three Shillings and three Pence half-penny, which he has paid by Order of the Court of Sessions, including his own Commissions: And that a Balance remains in his Hands of one Hundred and eleven Pounds three Shillings and seven Pence one Farthing, which he is still to account for.

Sent up for Concurrence.

Report on  
Suffolk County  
Treasurer's  
Accounts.

The Committee on the Account of the Treasurer of the County of Suffolk, reported.

Read and accepted, and Resolved, That the said Account being right cast and well vouched, be allowed; and that the Treasurer be discharged of the Sum of one Thousand five Hundred and forty Pounds eleven Shillings and three Pence half-penny, which he has paid by Order of the Court of Sessions, including his own Commissions, and that a Balance remains in his Hands of fifty Pounds ten Shillings and nine Pence one Farthing, and also outstanding Debts, the Sum of three Thousand four Hundred and one Pounds one Shilling and three Pence half-penny, which the said Treasurer is still to account for, when he shall receive the same.

Sent up for Concurrence.

Petition of  
Jos. Butler.

A Petition of Joseph Butler, setting forth that in the Year 1765, he was chosen a Collector of Taxes for the Town of Framingham: That by Virtue of a Warrant issued by the Province Treasurer, he has long been confined in Prison: That he is utterly unable to discharge his Arrears: He therefore prays Relief of this Court.

Read and Ordered, That Mr. Richardson, Capt. Read and Major Foster, consider this Petition and report.

Upon

Upon a Motion made, *Ordered*, That there be paid out of the publick Treasury to *Samuel Dexter*, Esq; and others, a Committee appointed by the General Court to view and settle the Line between the Towns of *Sutton & Uxbridge*, the Sum of *six Pounds eight Shillings and seven Pence*, in full Discharge of their respective Accounts: And that the same Sum be added to the Tax of the Town of *Uxbridge*, in the next Year's Tax-Act, agreeable to the Order of this Court the present Session.

Sent up for Concurrence.

The Committee on the Petition of *Charles Dabney*, made report. Read and accepted, and *Resolved*, That the Petitioner be, and hereby is empowered to make Sale of his and the said *Nathaniel* and *John Dabney's* Right or Equity of Redemption in the Tenement mentioned in the Petition, for the most the same will fetch; and to make and execute a good Deed or Deeds of the same; and that the Purchaser or Purchasers have the same and as full and ample Right and Power of redeeming the same Tenement, as the Petitioner and the said *Nathaniel* and *John Dabney* now have. The Petitioner giving sufficient Security to the Judge of Probate for the County of *Suffolk*, that the Proceeds of the said Sale be divided among the Heirs according to Law.

Report on  
Petition of  
*Chas. Dabney*.

Sent up for Concurrence.

*Ordered*, That *Major Gallison* and *Mr. Wood* of *Boxford*, be of the Committee to bring in a Supply-Bill, in the Room of *Col. Ward* and *Mr. Greenleaf* who are absent. And *Mr. Hall* and *Mr. Phillips* are added to the Committee.

*Ordered*, That the Committee prepare and bring in a particular Account of such Charges as it may be necessary to make Provision for in the Supply-Bill, and the Sum that will be necessary to appropriate for that Purpose.

The said Committee made Report; and thereupon *Ordered*, That a Clause be inserted in the Supply-Bill, for the Appropriation of *One Thousand Pounds* for the defraying such Charges for which no Establishment may be made.

The Committee on the Petition of *Catharine Wheeler*, reported.

Read and accepted, and *Resolved*, That the Prayer be so far granted, as that the Petitioner serve the adverse Party with a Copy of the Petition, that he may shew Cause, if any he hath, on the second Tuesday of the next Session of the General Court, why the Prayer should not be granted; and that the Execution in the Petition mentioned, be stayed in the mean Time.

Report on  
Petition of  
*C. Wheeler*.

Sent up for Concurrence.

*Royall Tyler*, Esq; came down to acquaint the House that the honorable Board concurred the Vote of this House on the Petition of *Catharine Wheeler*, with an Amendment, viz. *the Petitioner giving Security to respond the Judgment that may finally be obtain'd against her in the Petition mentioned*.

Message from  
the Board.

*Ordered*, That a Message go up to the honorable Board, to acquaint them that this House concur in the Amendment propos'd in the Vote on the Petition of *Catharine Wheeler*.

Sent up for Concurrence.

Upon

Upon a Motion made, *Resolved*, That this House will at Twelve o'Clock this Day, proceed to the Choice of an Agent, to appear at the Court of Great-Britain in Behalf of this Province, for the Space of one Year from this Time.

Report on  
Petition of  
J. Butler.

The Committee on the Petition of *Joseph Butler*, made report.

Read and accepted, and *Resolved*, That the Petitioner notify the Inhabitants of the Town of *Framingham*, by serving the Clerk with a Copy of this Petition and Order, that they may shew Cause, if any they have, on the second Wednesday of the next Session of the General Court, why the Prayer should not be granted.

Sent up for Concurrence.

Upon a Motion made, *Ordered*, That Mr. *Hancock*, Mr. *Gardner of Cambridge*, and Mr. *Turner*, be a Committee to count and sort the Votes of this House for an Agent of the Province.

Upon a Motion made, *Resolved*, That the Sum of *Twenty Pounds* be allowed and paid out of the Province Treasurer into the Hands of the Rev. Mr. *Joseph Green* of *Barnstable*, to be by him improved in hiring a Preacher of the Gospel in *Province-Town*, for one Year.

The House according to Order, proceeded to bring in their Votes for an Agent, and upon sorting and counting the Votes, it appeared that *DENNYS DEBERDT*, Esq; of *London*, was chosen, by a great Majority.

Upon a Motion made, *Ordered*, That Capt. *Sheaff*, Col. *Gerrish* and Mr. *Lombard*, be a Committee to bring in a Resolve for continuing the Civil Officers of the Province in their respective Places, until the usual Time of making Choice of such Officers.

A Report of the Committee on the Petition of *David Hide*.

Report on  
Petition of  
David Hide.

Read and accepted, and *Resolved*, That the Sum of *One Pound eight Shillings* be allowed and paid out of the public Treasury to the Petitioner, for his extraordinary Expences in the Petition mentioned.

Sent up for Concurrence.

Treasurer directed.

Upon a Motion made, *Ordered*, That the Treasurer be directed to lay before this House the Warrants drawn on him by the Governor, with the Advice of the Council, the last Year, in Favour of the Commissary-General.

## *Post-Meridiem.*

Bill read.

A Bill for *supplying the Treasury with the Sum of Eighty-eight Thousand one Hundred and fifty-eight Pounds, to be thence issued for the Discharge of the public Debts, and drawing the same into the Treasury again.*

Read three several Times, and pass'd to be Engross'd.

Sent up by Col. *Bowers*, Capt. *Thomas*, Col. *Williams*, Major *Williams* and Capt. *Thayer*.

Report on  
Petition of  
H. Gray, Esq;

The Committee on the Petition of *Harrison Gray*, Esq; reported.

*Resolved*, That the Sum of *One Hundred and thirty-three Pounds* be allowed and paid out of the publick Treasury to the honorable *Harrison Gray*, Esq; Treasurer and Receiver-General of this Province



vince, in full for his extraordinary Services for one Year, ending the 23d of December 1768. Sent up for Concurrence.

An engross'd Bill for apportioning and assessing a Tax of Thirty Thousand Pounds. Bill read.

Read and pass'd to be enacted.

The Committee appointed to consider the State of the Province, reported a Letter to *Dennys DeBerdt*, Esq;

Report of a  
Letter to *Dennys  
DeBerdt*, Esq;

Read and accepted, and Ordered, That the same be taken into a fair Draft, and laid before the House.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

VENERIS 14 Die Julii A. D. 1769.



Bill engross'd to prevent the Destruction of Fish in Ipswich River. Bill read.

Read and pass'd to be enacted.

*Isaac Royall*, Esq; brought down the Petition of a Number of Inhabitants of Reading, and a Report of the Committee thereon.

Report on  
Petition of  
Inhabitants of  
Reading;

Signed, *Thomas Hubbard*, per Order.

Pass'd in Council, viz. In Council July 13, 1769.

Read and accepted, and thereupon Ordered, That the South Precinct in Reading be and hereby is divided into two Precincts, in the following Manner, that is to say, beginning at Stoneham-Line, at an Heap of Stones at the Southeasterly Corner of *Jonathan Weston's* Homestead; from thence to a White Oak Tree at the Southerly Corner of *Isaac Burnap's* and *Jabez Damon's* Pasture, called Barehill Pasture; from thence Easterly as the Fence now stands on the Southwardly Side of said Pasture, till it comes to the Road near the Stone Bridge at Barehill-Brook so called; from thence Northwardly on the Road till it comes to the Northeastwardly End of the Causeway, at the three Bridges so called; from thence to the Southwestwardly Corner of Lieut. *Jonathan Pool's* Farm; from thence on the Fence on the Southerly Side of said *Pool's* Land, till it comes to the Road leading from said *Pool's* to the Meeting-House; from thence Northeast, 'till it comes to *Lyn* Line, excepting *Thomas Eaton*, *Jonathan Eaton*, *Joshua Eaton*, *Thomas Eaton* the Third, and *Edmund Eaton*, with their Lands they are now respectively in Possession of, and their other Estates, who although included in said Bounds, shall remain in the South Precinct, to all Intents and Purposes whatever, as fully as if they and their Lands aforesaid lay South of said Line.

And whereas the said Precinct have obtained a Vote to build a Meeting-House, and have made two Taxes, the one for raising Four Hundred Pounds Lawful Money, the other for Two Hundred Pounds like Money; which Assessments have been committed and are now in the Hands of the Constables to collect; but the first Tax for Four Hundred Pounds only has been paid, and that but in Part:

T

It

It is therefore further *Ordered*, That the North Part of said Precinct shall be and hereby is exempted from paying any other Tax towards the Meeting-House in the South Precinct, save the first *Four Hundred Pounds*.

It is further *Ordered*, That the Cost arising by the Committee's going the last Year to view the South Precinct, amounting to *Nine Pounds seven Shillings*, be paid by the whole Parish.

Sent down for Concurrence. Read and concur'd.

Report on  
Petition of  
Wm. Rice.

The Committee on the Petition of *William, Rice*, made Report.

Read and accepted, and *Ordered*, That the Prayer be so far granted, as that the Petitioner be discharged from the Judgment referred to in the Petition, on Condition that he pay the Costs of Suit.

Sent up for Concurrence.

Report on  
Petition of  
Miriam Billing.

The Committee on the Petition of *Miriam Billing*, and others, made report.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioners be and hereby are empowered to make Sale of so much of the Real Estate of the Deceased, as will be sufficient to pay the Legacy mentioned, to the Amount of *sixty-six Pounds thirteen Shillings and four Pence*; together with so much more of said Real Estate as will pay the just Debts of the Deceased, and the Charges arising from said Sale, for the most the same will fetch, (where it can be best spared, and least prejudicial to the Remainder) and to make and execute a good Deed or Deeds in Law to the Purchaser or Purchasers of the same; they observing the Rules in the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Suffolk*, that the Money arising by such Sale be applied for the Purposes mentioned in the Petition.

Sent up for Concurrence.

Report on  
Petition of  
Isaac Hodges.

The Committee on the Petition of *Isaac Hodges*, made report.

Read and accepted, and *Ordered*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make Sale of the Real Estate of the Deceased, to the Amount of *fifty-eight Pounds*, where it can be best spared, and to execute a good Deed or Deeds to the Purchaser, he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Bristol*, that the Proceeds of said Sale be applied to the Purposes mentioned in the Petition.

Sent up for Concurrence.

The Order of Council on the Petition of *Joseph Arms*, brought down from the honorable Board the 6th Instant.

Read and concur'd.

Treasurer's  
Accounts laid  
on the Table.

The Treasurer-General, according to Order, laid on the Table the Warrants drawn on him in Favour of the Commissary-General the last Year.

*Ordered*, That Mr. Speaker, Mr. Otis, Mr. Hall, Mr. Hancock and Mr. Adams, be a Committee to repair to the Treasury in the Recess of the Court, enquire into the Sums of Money not appropriated, and report at the next Session.

The

The Committee appointed to bring in a Resolve for the Continuance of the Civil Officers of this Government in their respective Places, made report. Civil Officers continued.

Read and accepted, and whereas the Great and General Court of this Province was dissolved in June 1768, and no other Assembly permitted to meet untill this present Session; by Reason whereof the Civil Officers of this Province could not be chosen at the usual Time of Choice: And whereas a considerable Part of the present Year is elapsed, and it would be inconvenient for the Province to alter the Time of choosing the Civil Officers aforesaid:

*Resolved*, That the several Civil Officers of this Government who were chosen by the Great and General Court or Assembly of this Province, at their Session begun and held in Boston on the 31st Day of December, 1767; be, and they hereby are continued in, and directed to exercise their several and respective Offices the Remainder of this present Year, to all Intents and Purposes, as if the said Officers were chosen at the usual Time, and after the usual Manner.

Sent up for Concurrence.

Upon a Motion made, *Resolved*, That the Sum of Six Pounds be allowed and paid to the Rev. Mr. Nathaniel Appleton, for his Services as Chaplain to the two Houses of the General Assembly during the present Session. Grant to the Chaplain.

Sent up for Concurrence.

The Committee appointed to examine the Accounts of the several Persons employed as Clerks to the late Committee of Valuation, made Report. Allowance to the Clerks of the Committee of Valuation.

Read and accepted, and *Resolved*, That there be allowed and paid out of the public Treasury the Sums hereafter mentioned to the respective Persons employed by the Committee of Valuation, to cast up and foot the Lists returned by the several Towns into the Secretary's Office the last Year, viz.

	£.	s.	d.
To David Jeffries, Esq; for casting & footing	84	3	3 0
To Sanderfon West, ———	145	5	8 9
To Samuel Downe, ———	155	5	16 3
To Joseph Carnes, ——— ———	102	3	16 6
To Henry Allyn, Jun. ———	115	4	6 3
To John Furnass, ———	216	8	2 0
To William Cooper, ———	219	8	4 3
To Dudson Kilcup, — ———	114	4	5 6
To Edward King, — ———	115	4	6 3
To A. Savage, jun. for casting & footing	212	12	9 0
and other Writing equal to —	120		

Sent up for Concurrence.

An engross'd Bill for supplying the Treasury with the Sum of Eighty-eight Thousand one Hundred and fifty-eight Pounds, to be thence issued for the Discharge of the public Debts, and drawing the same into the Treasury again. Bill read.

Read and pass'd to be enacted.

The Committee on the Petition of the Inhabitants of Winchendon, reported. Petition of Inhabitants of Winchendon recommittd.

Read and recommittd;

The



List of Travel,  
&c.

The Committee appointed to prepare a List of the Travel and Attendance of the Members of this House reported.

Read and accepted, and *Ordered*, That the Clerk attest the same accordingly.

Message from  
the Board.

*Jeremiah Powel*, Esq; came down from the honorable Board to acquaint the House that the Board propos'd a certain Amendment in the Supply-Bill, and laid the same on the Table.

The said Proposal was considered, and the House concur'd therein; and then the Bill was sent up to the honorable Board.

The Committee appointed to ascertain the Residence of the Commissioners of the Customs at Castle-William the last Year, made report.

Read and recommitted.

The said Committee again made Report with Amendments.

Read and accepted.

*And whereas the Commissioners of his Majesty's Customs, viz. Henry Hulton, William Burch, John Robinson and Charles Paxton, Esquires, with some of their Families resided at Castle-William for the Space of four Months and one half, in the Year 1768:*

Treasurer di-  
rected.

*Resolved*, That in Consideration of improving Twenty-one Rooms on Castle-Island belonging to this Province, four Months and an half, the Province Treasurer be and he hereby is directed to demand of the aforesaid *Henry Hulton, William Burch, John Robinson and Charles Paxton*, the Sum of *fifty-four Pounds four Shillings* as Rent, for the Use of the Rooms aforesaid, it being the Sum of Two Dollars per Month for each Room, and half as much as Governor *Bernard* demanded for each of said Rooms of the Inhabitants of this Province, who had the Small-Pox in said Rooms.

Sent up for Concurrence.

Report on  
Petition of  
Inhabitants of  
*Winchendon*.

The Committee on the Petition of the Inhabitants of *Winchendon*, reported.

Read and accepted, and *Ordered*, That the Consideration thereof be refer'd to the next Session; and that in the mean Time the Treasurer be and hereby is directed not to issue his Execution for the Tax assess'd on said Town for the Year 1767.

Sent up for Concurrence.

Report on  
Petition of  
Select-Men of  
*Swanzey*.

The Committee on the Petition of the Select-Men of *Swanzey*, reported.

*Ordered*, That the Consideration thereof be refer'd to the next Session.

## *Post-Meridiem.*

Petition of  
*S. Kingsberry*.

A Petition of *Seth Kingsberry*, praying that this Court would give Order for the Re-hearing of a certain Cause mentioned in the Petition.

Read and *Ordered*, That *Col. Williams, Mr. Durfee and Mr. Remington*, be a Committee to consider this Petition, and report.

Upon a Motion made, *Ordered*, That Brigadier *Prebble* be of the Committee on the Petition of *Benjamin Leigh and John Alman*,  
in

in the Room of Mr. *Spooner* who is absent. And that Major *Gallison* be of said Committee in the Room of Col. *Whitcomb*, who is excus'd.

*The following Vote which passed the 4th Instant, being thro' Mistake omitted, is here inserted, viz.*

The Committee appointed to consider his Excellency's Message of the 28th of *June*, reported.

Read and accepted, and *Ordered*, That Mr. *Hancock*, Mr. *Spooner*, Mr. *Otis*, Major *Hawley*, and Mr. *Greenleaf*, be a Committee to wait upon his Excellency Sir *Francis Bernard*, Baronet, with the following Answer to his Message of the 28th of *June* last.

*May it please your Excellency,*

BY your Message to this House of the 28th of *June* last, we are informed, that his Majesty has been pleased by his Sign Manual, to signify to you his Will and Pleasure that you repair to *Great-Britain*, to lay before him the State of this Province. We are bound in Duty at all Times, and we do more especially at this Time cheerfully acquiesce in the lawful Command of our Sovereign : It is a particular Satisfaction to us that his Majesty has been pleased to order a true State of this Province to be laid before him ; for we have abundant Reason to be assured that when his Majesty shall be made fully acquainted with the great and alarming Grievances which his truly loyal Subjects here have suffered thro' your Administration, and the Injuries they have sustained in their Reputation, as well as every important Interest, he will in his great Clemency and Justice frown upon and for ever remove from his Trust all those who by wickedly misinforming his Ministers, have attempted to deceive even his Majesty himself. Your Excellency is best acquainted with the Part you have acted ; your own Letters have enabled this House and the Public in some Measure to form a Judgment. And while you will necessarily be employed as this House conceives, in setting your own Conduct in the most favourable Light before his Majesty, we are persuaded we shall be able to answer for our selves and our Constituents, to the Satisfaction of our Sovereign whenever we shall be called to it.

Answer to a  
Message from  
his Excellency.

You are pleased to communicate to the House an Instruction for the Appropriation of the Salary granted to his Majesty's Governor during such Time as he may be absent from the Colony : But as we are not " made to understand " that your Excellency will be continued in your Office as Governor of the Province after your expected Departure from it, the House cannot in Faithfulness to their Constituents make an unprecedented Grant of their Money for Services which we have no Reason to expect will ever be performed.

Your Excellency must be fully sensible that the People of this Province have never failed in Duty to his Majesty, to make ample Provision for the Support of his Government. You will be pleased to remember that you are fully paid to the Second of *August* next, before

before the Expiration of which Time you will embark for *Great-Britain*. We shall then make the necessary Provision "for the Support of the Dignity of the Government," and when his Majesty shall be graciously pleased to appoint another Governor, we trust this People will be ready, as they ever have been, to grant him an ample Salary, proportioned to their own Abilities, and suitable to his Station and Merit. These are the only Considerations which ought to have any Weight with this House in granting the People's Money for the Support of a Governor. His Majesty's 49th Instruction now before the House, and to which you refer us, is a Rule for your Excellency, but we conceive, was never intended for the House of Representatives:—We have however the Pleasure of observing, that, your Excellency is not at all restrained by it, from signing any Bills, or other Matters that may be laid before you, at any Time preceding the Grant of a Salary for the Support of Government, and therefore we have a just Right to expect that you will not upon that Account retard such public Business now before you, as his Majesty's Service and the Welfare of the People indispensably requires.

Report on  
Petition of  
*E. & L. Pomroy.*

A Report of the Committee on the Petition of *Ebenezer and Esther Pomroy*.

Read and accepted, and *Ordered*, That the said Administrators have Leave, and hereby are authorized and impowered, as soon as may be, to sell all the Estate which the said Deceased at the Time of his Death, had in those Buildings and Lands which have been assign'd to the Widow of the said *Elisba Pomroy* for her Dower or Right of Thirds in said Building and Lands whereof the said Deceased died seized, excepting the said Widow's Term therein; and to distribute the Proceeds to and among all the Creditors of the Deceased, as soon as may be, in Proportion to the Sums of their respective Dues from the said Estate, which have been allowed by the Commissioners who were appointed to receive the Claims of the said Creditors: *Provided* the said Administrators notify such Sale in the Manner prescribed by one Law of this Province, directing the Form of Notice of the Sale of Real Estates of Persons deceased, licensed by the Superior Court for the Payment of Debts; and also that they previous to such Sale, give sufficient Caution to the Judge of Probate for the County of *Hampshire*, to pay the Creditors the Proceeds of such Sale, within such reasonable Time from making the same, as such Judge shall determine.

Sent up for Concurrence.

Report on  
Petition of  
*S. Kingsberry.*

The Committee on the Petition of *Seth Kingsberry*, reported.

Read and accepted, and *Ordered*, That the Petitioner notify the adverse Party *John Needham*, by serving him with a Copy of the Petition, that he shew Cause on the third Wednesday of the next Sitting of this Court why the Prayer should not be granted.

Sent up for Concurrence.

Account pre-  
sented for Al-  
lowance.

An Account of the Committee appointed by the General Court to view *Ipswich River*, for certain Purposes was presented for Allowance.

Read



Read and *Ordered*, That the same be paid out of the public Treasury, to the said Committee, according to the Account exhibited to this House; and that the Sum be laid upon the Towns of *Ipswich, Middleton, Reading, Topsfield, Boxford and Danvers*, in the next Tax-Act, in Proportion as the Province Tax is laid.

An Engros'd Bill to enable Robert Pierpont to collect Taxes in *the Town of Boston*. Bill read.

Read and pass'd to be enacted.

The Committee on his Excellency's two Messages of the 6th and 12th Instant, reported.

Read distinctly several Times, and afterwards in Paragraphs, and accepted unanimously, present 83 Members, and *Ordered* to be taken into a fair Draft and laid on the Table; and Mr. *Hancock*, Col. *Bowers*, Major *Hawley*, Col. *Buckminster* and Mr. *Otis*, were appointed a Committee to present the same to his Excellency the Governor.

*Ordered*, That the Members of this House be enjoined to attend during the remaining Part of the Session.

Upon a Motion made, *Ordered*, That Mr. *Hancock* go up to the honorable Board to desire that they would send down the Letter respecting the Petition of *Nathaniel Donnel*, and the Papers relating to the same.

Who returned that he had delivered the Message.

Then the House adjourn'd till To-Morrow Morning Eight o'Clock.

SABBATI 15 Die Julii, A. D. 1769.

THE Committee on the Petition of *John Cotton*, reported.

Read and accepted, and *Resolved*, That the Prayer of the Petition be so far granted, that the Petitioner be discharged of said Bond and all Prosecution thereupon; he giving Bond with sufficient Sureties to pay the Sum of *eight Hundred and seventeen Pounds*, to the honorable *Harrison Gray*, Esq; Treasurer of this Province, or his Successor, in Manner following, viz. *two Hundred and seventeen Pounds*, with Lawful Interest, at or before the Fourteenth Day of *July, 1770*; *two Hundred* with Interest, at or before the Fourteenth of *July, 1771*; *two Hundred* with like Interest, at or before the Fourteenth of *July, 1772*; and *two Hundred Pounds* with like Interest, at or before the Fourteenth Day of *July, 1773*.

Report on  
Petition of  
*John Cotton*.

Sent up for Concurrence.

The Committee on the Petition of *Benjamin Leigh* and *John Almond*, reported, That the Sum of *Two Hundred Pounds* be advanced to the Petitioners; out of the public Treasury; they giving their Bond, with good and undoubted Security for the Payment of the same into the Treasury, without Interest, in two Years.

Report on  
Petition of  
*B. Leigh, and  
J. Almond*.

Read and not accepted. Reconsidered and accepted.

Sent up for Concurrence.

Upon

Upon a Motion made, *Ordered*, That Mr. *Otis*, Mr. *Hancock* and Mr. *Adams*, be a Committee to procure one Set of the printed Journals of the several Houses of Representatives in the Years past, for the Use of *Harvard-College* Library.

Petition of  
*Chas. Goodridge.*

A Petition of *Charles Goodrich*, praying that the Report of certain Referees mentioned therein, may be set aside.

Read and *Ordered*, That the Prayer be so far granted, as that the Petitioner serve the adverse Party, or his Agent, with a Copy of the Petition, that he shew Cause, if any he hath, on the second Wednesday of the next Session of the General Court, why the Prayer should not be granted. Sent up for Concurrence.

The Committee appointed Yesterday to wait on his Excellency the Governor, and present to him the Answer of this House to his two Messages of the 6th and 12th Instant, waited on his Excellency and presented to him the said Answer accordingly, which is as follows.

*May it please your Excellency,*

Answer to two  
of the Gover-  
nor's Messages.

THE House of Representatives have contemplated your several Messages of the 6th and 12th Instant, as fully as the Time to which you were pleas'd to limit them would admit. And as General Gage's Letter on this Subject dated 15th of *May*, of which we were favoured with an Extract only, must have been receiv'd before the Meeting of the General Assembly, we think it very extraordinary that your Excellency should suffer *five or six Weeks* to elapse before you thought proper to give us the *least Intimation* of this *Matter*. It is also surprizing, that as the *Barrack Master General, Colonel Robinson*, was in *Boston* near a Month, the greater Part of which Time the General Assembly was sitting, we never before heard of the "*Demand*" which he has had "*the Honor to make*", as he is pleas'd to express himself in his Letter to your Excellency of the 18th of *June*. It is wonderful indeed that this House should have no Notice of that *Demand* 'till the 6th Instant, and that a *quickning Message* should so soon follow. Between these Messages, Lord's Day intervening, the House had adjourn'd as usual from Saturday to Monday. But it is truly astonishing that when the gracious Desires of Majesty itself, of Aids in Men and Money in the late War, in which we freely bled with our Fellow Subjects and Brethren of Great-Britain, as well as of America, and on other less arduous Occasions, have with Royal Clemency and great Condescension ever been intimated in the Form only of a *Requisition*, the *Barrack Master General* should hold so high and peremptory a Tone as the Word *Demand* must necessarily imply. The Indignity thus offer'd to your Excellency's *Commission* would have been an Affair intirely between *your Excellency* and the *Barrack Master General*, had it not been communicated to us as an Appendage, nor accompanied your Message of the 6th Instant, the Subject of which we shall now more immediately consider.

The public Proceedings of this House, we trust, will sufficiently evince to the whole World and to all Posterity, the Idea we entertain

tain of the sudden Introduction of a Fleet and Army here ; of the unparallel'd Methods us'd to procure this Armament, and of the indefatigable Pains of your Excellency and a few interested Persons, to keep up a standing Force here by Sea and Land, in a Time of profound Peace, under the *meer Pretence of the Necessity of such a Force to aid the Civil Authority*. But were it a Time of War, and the Necessity of such a Force ever so great, of which it is admitted the King by Virtue of his undoubted Prerogative of marching his Armies, and directing his Fleets to any Part of his Realms or Dominions, is the sole Judge, yet Sir, it should be remembered, that the very Nature of a free Constitution requires that those Fleets and those Armies should be supported only by the *Aids voluntarily granted by the Commons*. Thus till very lately they have been supported, not only in Great-Britain and Ireland, but in all the British Dominions.

*May it please your Excellency*, We are constrained to be very explicit upon the *Funds* propos'd, and the *Law* alluded to, both in your Message of the 6th Instant, and in the Extract of General Gage's Letter before us. By *Funds* we presume is meant a Provision for the Reimbursement of such Expences as have been occasioned, or may accrue, in Consequence of quartering the Troops here : and by *Law* we presume is meant the Mutiny-Act, so commonly called, which was pass'd in the 6th Year of the Reign of our most gracious Sovereign. By this Act it is declared " the Officers and Soldiers quartered as therein more particularly express'd, shall from Time to Time be furnished and supplied by a Person or Persons to be authorised or appointed for that Purpose by the Governor and Council of each respective Province, or upon the Neglect or Refusal of such Governor and Council in any Province, then by two or more Justices of the Peace residing in or near the Place" of quartering, with " Fire" and other enumerated Articles : And that the respective Provinces shall "*repay such Person or Persons* all such Sum or Sums of Money by him or them paid, for the taking, hiring, and sitting up uninhabited Houses, and for furnishing the Officers and Soldiers therein, and in the Barracks", with " Fire", and the other enumerated Articles. And such Sum or Sums are by said Act required to be "*raised in such Manner as the public Charges for the Provinces respectively are raised*." And it is also further declared by said Act, that " the extraordinary Expence of Carriages be paid by the Province or Colony where the same shall arise."

From hence it is obvious that a Governor and Council have no more Right by this Act to draw any Money out of a Colony Treasury than the two Justices mentioned therein. The Duty prescribed is entirely confin'd to the Appointment of a Person or Persons to furnish and supply the Articles in said Act mentioned. Such is the Unreasonableness and Severity of the Act, that it leaves to the Assemblies not the least Colour of a Privilege, but only the pitiful Power to raise the Sums in such Manner as the publick Charges of the Provinces respectively are rais'd. Hence it is manifest how un-



warrantably the Governor and Council have acted in the Payments they have order'd between the Dissolution of the last Year's Assembly and the convening of this, for Articles furnished his Majesty's 65th Regiment lately quartered in the Barracks at Castle-William : For it is known there was no Fund provided, consequently there could be no appropriation made by the General Court for that Purpose.

We shall now with your Excellency's Leave take a nearer View of the Act of Parliament above-mentioned. This whole Continent has for some Years past been distress'd with what are called Acts for imposing Taxes on the Colonists for the express Purpose of raising a Revenue, and that without their Consent in Person or by Representative. This Subject has been so fully handled by the several Assemblies and in the Publications that have been made, that we shall be as brief as possible upon that Head ; but we take Leave to observe, that in Strictness all those Acts may be rather called Acts for raising a TRIBUTE in America for the further *Purposes* of Dissipation among *Placemen* and *Pensioners*. And if the present System of Measures should be much further pursued, it will soon be very difficult, if possible, to distinguish the Case of Widows and Orphans in America, plunder'd by infamous Informers, from those who suffer'd under the Administration of the most oppressive of the Governors of the Roman Provinces, at a Period when that once proud and haughty Republick, after having *subjugated the finest Kingdoms* in the World, and drawn all the Treasures of the *East to imperial Rome*, fell a Sacrifice to the unbounded Corruption and Venality of its *Grandees*. But of all the new Regulations, the *Stamp-Act* not excepted, this under Consideration is the most excessively unreasonable. For in Effect, the yet *free* Representatives of the *free* Assemblies of North-America are called upon, to repay of their own and their Constituents Money, such Sum or Sums as *Persons* over whom they *can* have no *Check* or *Controul* may be pleas'd to *expend* ! As Representatives we are deputed by the People, agreeable to the Royal Charter and the Laws of this Province. By that Charter and the Nature of our Trust we are only empower'd to "grant such Aids" and "levy such Taxes for his Majesty's Service as are reasonable", of which if we are not *free* and independent Judges we can no longer be *free* Representatives, nor our Constituents *free* Subjects. If we are *free* Judges, we are at Liberty to follow the Dictates of our own Understanding, without Regard to the Mandates of another ; much less can we be *free* Judges, if we are but blindly to give as much of our own and of our Constituents Substance, as may be commanded, or thought fit to be expended, by those we know not.

Your Excellency must therefore excuse us in this EXPRESS DECLARATION, *That as we cannot consistently, with our Honor, or Interest, and much less with the Duty we owe our Constituents, so we shall never make Provision for the Purposes in your several Messages above-mentioned.*

It being represented to the House that a Rescue of a certain Prisoner had been made the last Evening out of the Hand of Justice, in the Town of *Boston*, by a Number of armed Soldiers ; and that *Peter Barbour* a Constable, and *Jeremiah Belknap* his Assistant, were at the Door, and able to inform the House of the Circumstances thereof.

Information  
a Rescue.

A Motion was made, and thereupon Ordered, That the said *Peter Barbour* and *Jeremiah Belknap* be directed to attend on the Floor of the House, and they accordingly attended ; and being heard on the Subject-Matter of the said Rescue, they then withdrew.

Upon a Motion made, Ordered, That Capt. *Sheaffe*, Mr. *Spoo-ner*, Col. *Williams*, Col. *Bowers* and Mr. *Porter*, be a Committee to make further Enquiry into the Circumstances of the said Rescue of a certain Prisoner out of the Hand of Justice, and report to the House a State of the Facts.

The said Committee by their Chairman acquainted the House, that as it was expected his Excellency the Governor would order a Recess of the General Assembly this Day, the Shortness of the Time would not admit of their reporting agreeable to the Direction of the House—Whereupon they were directed by the House to sit in the Recess of the Court, and the Speaker was added to the Committee.

Ordered, That the Speaker be directed to sign in the Name of the House, the Letter to *Dennys DeBerdt*, Esq; agreed to Yesterday, and transmit the same as soon as may be.

Speaker direct-  
ed.

Ordered, That the Speaker transmit to *Dennys DeBerdt*, Esq; a State of the Facts relating to the Rescue of a Prisoner out of the Hand of Justice, by a Number of Seamen belonging to an armed Schooner, in the Harbour of *Cape-Ann* ; and also the other Rescue made by a Number of armed Soldiers in the Town of *Boston*.

A Message from his Excellency the Governor, by Mr. Secretary, viz.

Message from  
the Governor.

Mr. Speaker,

His Excellency the Governor is now in the Chair, and directs the Attendance of this honorable House, in the Court-House.

The Speaker and the House accordingly attended ; and his Excellency was pleased to declare his Assent to the following Bills, viz.

*An Act for supplying the Treasury with the Sum of Eighty eight Thousand one Hundred and fifty eight Pounds, to be thence issued for discharging the public Debts, and drawing the same into the Treasury again.*

*An Act for apportioning and assessing a Tax of Thirty Thousand Pounds, &c.*

*An Act for granting unto his Majesty several Rates and Duties of Impost and Tonnage of Shipping.*

*An Act for empowering the East Precinct in Salem, where the Rev. Mr. James Diman now officiates, to raise Money for defraying ministerial and other necessary Charges of said Precinct.*

*An*

*An Act to enable Robert Pierpoint to collect the Taxes uncollected by Samuel Adams late Collector of Taxes for the Town of Boston.*

*An Act to prevent the Destruction of Alewives and other Fish in Ipswich River, and to encourage the increase of the same.*

*An Act for reviving and continuing sundry Laws that are expired or near expiring.*

Then his Excellency was pleased to deliver to the House of Representatives the following Speech, of which the Speaker obtain'd a Copy.

*Gentlemen of the House of Representatives,*

Governor's  
Speech.

AT the opening of this Session, I had in contemplation the expediency of passing the public Bills which were necessary to the Government with all due expedition, and particularly the Supply Bill, without which the whole Provincial Debt, by a Law then subsisting, would have been levied in one Year, which would have been a great Burthen upon the People. And I had resolved with myself to promote the expediting such necessary Bills, and to avoid and remove, as far as I could, all difficulties which might obstruct the same. But you, Gentlemen, had not the same Disposition: you not only put a stop to all real Business with the most trifling pretences for some Weeks together; but you endeavoured, by all Means you could, to oblige me, in the course of my Duty, to put an abrupt end to the Session, before you would permit the necessary Business of the Province even to be brought before you.

In this, Gentlemen, you had some success; you put me under the Difficulty of either not making proper Provision for the necessary Service of the Government, which could not be done without continuing the Session, or by a continuation of it, showing a want of Regard to the Dignity of the Crown. The Assertions, Declarations and Resolutions, which you have from the beginning of the Session to this Time continued to issue, in direct Opposition to the Sense of the Sovereign Legislature, as it has been lately declared and in Terms entirely inconsistent with the Idea of this Province being a Part of the British Empire, would have demanded of me an immediate Vindication of the Honor of the Crown, by putting an early End to this Session, if I had not been restrained by my Concern for the Exigencies of the State. And I must rely upon his Majesty's favorable Indulgence in accepting my Attention to the Necessities of the People, in lieu of the Resentment which was due to the Misbehavior of their Representatives.

To his Majesty therefore and, if he pleases, to his Parliament must be referred your invasion of the rights of the Imperial Sovereignty. By your own acts you will be judged: you need not be apprehensive of any Misrepresentations; as it is not in the power of your Enemies, if you have any, to add to your Publications: they are plain and explicit, and need no comment.

It



It is my Duty, and I shall do it with Regret, to transmit to the King true Copies of your Proceedings: and, that his Majesty may have an Opportunity to signify his Pleasure thereupon before you meet again, I think it necessary to Prorogue this General Court immediately to the usual Time of its Meeting for the Winter Session.

Council-Chamber,

July 15, 1769.

Fra. Bernard.

Then the Secretary said, *It is his Excellency's Pleasure that this Great and General Court be Prorogued to Wednesday the Tenth Day of January next*; and declared the Great and General Court Prorogued accordingly.

Here is inserted the PETITION to the KING's Most Excellent Majesty, for the Removal of Sir *Francis Bernard*, Baronet, for ever from this Government, agreeable to the unanimous Vote of the House, of the 27th of *June*.

TO THE KING's MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

WE Your Majesty's most dutiful and faithful Subjects, the Representatives of your ancient and loyal Colony of the Massachusetts Bay; impressed with the deepest Gratitude to Almighty GOD, for calling to the British Succession your illustrious Family; and so firmly establishing your Majesty on the Throne of your Royal Progenitors: And being abundantly convinced of your Majesty's Grace and Clemency, most humbly implore the Royal Favour, while we briefly represent our Grievances which your Majesty alone under GOD can redress.

We are constrained in Duty to your Majesty, and in Faithfulness to our Constituents to lay before your Majesty our Complaints of his Excellency Sir Francis Bernard, Baronet, your Majesty's Governor of this Colony; whose whole Administration appears to have been repugnant not only to your Majesty's Service, and the Welfare of your Subjects in the Colony, but even to the first Principles of the British Constitution.

From his first Arrival here, he has in his Speeches and other publick Acts, treated the Representative Body with Contempt.

He has in his publick Speeches charged both Houses of the General Assembly expressly, with Oppugnation against the Royal Authority; declaring that they had left Gentlemen out of the Council, only for their Fidelity to the Crown.

He has from Time to Time indiscretely and wantonly exercised the Prerogative of the Crown, in the repeated Negative of Counsellors of an unblemished Reputation, and duly elected by a great Majority, some of them by the unanimous Suffrage of both Houses of Assembly.

He has declared, that certain Seats at the Council Board shall be kept vacant, 'till certain Gentlemen who are his Favourites shall be re-elected.

He has unconstitutionally interfered with and unduly influenced Elections, particularly in the Choice of an Agent for the Colony.

He has very abruptly displaced divers Gentlemen of Worth, for no apparent Reason, but because they voted in the General Assembly with Freedom, and against his Measures.

He has in an unwarrantable Manner taken upon himself the Exercise of your Majesty's Royal Prerogative, in granting a Charter for a College, contrary to an express Vote of the House of Representatives, and without even asking the Advice of your Majesty's Council.

He has practiced the sending over Depositions to the Ministry, privately taken, against Gentlemen of Character here, without giving the Persons accused the least Notice of his Purposes and Proceedings.

He has very injuriously represented your Majesty's loving Subjects of this Colony in general ; as having an ill Temper prevailing among them, as disaffected to your Majesty's Government, and intending to bring the Authority of Parliament into Contempt. And by such false Representations, he has been greatly instrumental, as this House humbly conceive, in exciting Jealousies, and disturbing that Harmony and mutual Affection which before happily subsisted, and we pray GOD may again subsist between your Majesty's Subjects in Great-Britain and America.

He has in his Letters to one of your Majesty's Ministers unjustly charged the Majority of your Majesty's faithful Council in the Colony with having avowed the Principles of Opposition to the Authority of Parliament, and acted in Concert with a Party from whence such Opposition originated.

He has also in his Letter to another of your Majesty's Ministers, falsely declared that a Plan was laid, and a number of Men actually enrolled in the Town of Boston, to seize your Majesty's Castle William in the Harbour of the same, out of your Majesty's Hands.

Such Representations of the State and Circumstances of this Colony from a Gentleman of the highest Trust in it, will of Necessity, be receiv'd with full Credit, till they are made to appear false. And in Consequence thereof, your Majesty's true and loyal Subjects have suffered the Reproach, as well as other Hardships, of having a Military Force stationed here, to support your Majesty's Authority, and the Execution of the Laws ; which Measure has been approved by your Majesty's two Houses of Parliament, as appears in their Resolutions, that the Town of Boston had been in a State  
of

of Disorder and Confusion, and that the Circumstances of the Colony were such as required a military Force, for the Purposes above-mentioned.

Having been a principal Instrument, as we apprehend in procuring this Military Force, your Majesty's said Governor, in an unprecedented Manner, and as tho' he had designed to irritate to the highest Degree, order'd the very Room which is appropriated for the Meeting of the Representatives of the General Assembly, and was never used for any other Purpose, and where their Records are kept, to be employed as a Barrack for the Common Soldiers : And the Centinels were so posted as that your Majesty's Council and the Justices of the Courts of Common Law, were daily interrupted, and even challenged in their Proceeding to the Business of their several Departments.

He endeavoured contrary to the express Design of an Act of Parliament, to Quarter your Majesty's Troops in the Body of the Town of Boston, while the Barracks provided by the Government at the Castle, within the Town, remained useless : And for Purposes manifestly evasive of said Act, he unwarrantably appointed an Officer to provide Quarters for the Troops, otherwise than is therein prescribed.

After having dissolved the General Assembly at a most critical Season, and while they were employed in the most necessary and important Business of the Colony, he arbitrarily refused to call another for the Space of Ten Months, and until the Time appointed in the Royal Charter for the calling a General Assembly, against the repeated dutiful Petitions of the People.

It appears by his Letters to the Earl of Hillsborough your Majesty's Secretary of State, that he has endeavoured to overthrow the present Constitution of Government in this Colony, and to have the People deprived of their invaluable Charter Rights, which they and their Ancestors have happily enjoyed, under your Majesty's Administration, and those of your Royal Predecessors.

By the Means aforesaid, and many others that might be enumerated, he has rendered his Administration odious to the whole Body of the People ; and has intirely alienated their Affections from him, and thereby wholly destroyed that Confidence in a Governor, which your Majesty's Service indispensibly requires.

Wherefore we most humbly intreat your Majesty, that his Excellency Sir Francis Bernard, Baronet, may be *for ever* removed from the Government of this Province : And that your Majesty would be graciously pleased to place one in his Stead, worthy to serve the greatest and best Monarch on Earth.

And the Representatives of the Colony of the Massachusetts-Bay, as in Duty bound, shall ever pray.

In their Name, and by their Order,

Signed by the Speaker.



1844

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A

## JOURNAL

Of the Honorable House of

## REPRESENTATIVES.

At a Great and General Court or Assembly of his Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and held at *Boston*, in the County of *Suffolk*, upon Wednesday the Thirty-first Day of *May*, being the last Wednesday of said Month, *Anno Domini*, 1769, and from thence continued by several Prorogations to Thursday the Fifteenth Day of *March* following, and then met at *Harvard-College* in *Cambridge*, being the second Session of said Court.

HARVARD-COLLEGE, CAMBRIDGE, *March* 15, 1770.

It was moved that a Committee be appointed to wait on his Honor the Lieutenant Governor in the Philosophy Chamber, and acquaint him, that the Members of the House were introduced into the Chappel, and that a Quorum of the House are there: Whereupon Mr. *Adams*, Mr. *Hancock*, Capt. *Sheaffe*, Col. *Bowers* and Mr. *Spöoner*, were appointed.

Quorum of the House met.

Who returned that they had delivered the Message.

A Message from his Honor by the Secretary, *viz.*

Mr. Speaker, His Honor the Lieutenant Governor is now in the Chair in the Philosophy Room, and directs the Attendance of this House there.

Message from His Honor

The Speaker and the House accordingly attended in the Philosophy Room; and his Honor was pleas'd there to deliver the following Speech to both Houses.

Y

"Gentlemen

" *Gentlemen of the Council, and*

" *Gentlemen of the House of Representatives.*

His Honor's  
Speech.

" I INTENDED to have met the Court, on the 10th of January  
" at Boston, being the Time and Place to which it stood  
" prorogued when the Governor left the Province, but, by  
" the two last Packets from England, I have received such  
" Instructions, as made it necessary for me further to prorogue it  
" to this Time and Place ; and I am informed that before the  
" Session is ended, I may expect to have something, in special Com-  
" mand from His Majesty, relative to the State and Circumstances  
" of the Province, to lay before you. In the mean Time I shall  
" be ready to join with you in such of our interior Business, as  
" shall be thought necessary, or expedient. The State of this Bu-  
" siness, I am not able particularly to point out to you, having  
" had but little Knowledge of the Affairs of the General Court for  
" several Years past. There are Amendments or Alterations abso-  
" lutely necessary to be made in some of our Laws, the Defects of  
" which have of late been a Subject of general Complaint, I shall  
" hereafter propose them to you by Messages. I have another  
" Matter also of general Utility, which I shall lay before you in  
" the same Way.

" You cannot oblige me more than by putting it in my Power  
" to concur with you in Measures for promoting the Peace, good  
" Order and lasting Tranquility of the Province.

" I am sensible the Season of the Year is approaching when you  
" cannot be absent from your several Homes without peculiar Pre-  
" judice to your private Affairs, I shall therefore do all that is ne-  
" cessary on my Part to give the greatest Dispatch to the Business of  
" the Session, at the same Time, I am willing to give Attendance  
" upon it as long as we can employ ourselves for the Benefit of the  
" Province.

Council-Chamber,  
Cambridge,

T. Hutchinson.

March 15, 1770.

His Honor's Speech being read in the House, it was moved that  
the Consideration thereof be referred to Three o'Clock Afternoon.

Committee to  
prepare a Re-  
monstrance.

Upon a Motion made, *Ordered*, That Mr. Speaker, Mr. Adams,  
Mr. Otis, Capt. Sheaffe, Mr. Hancock, Col. Bowers, and Mr. Hall,  
be a Committee to prepare a Remonstrance against the late Proro-  
gation of the General Court by the Mandate of the Minister, and  
also representing the great Inconveniencies of the General Court's  
sitting in Harvard-College, and report.

### *Post-Meridiem.*

*Ordered*, That the Consideration of his Honor's Speech to both  
Houses be further referred till To-morrow 11 o'Clock.

Hardwick  
Member  
return'd.

*Timothy Ruggles*, Esq; returned a Member from *Hardwick*,  
making his Appearance in the House,

*Ordered*, That Col. *Buckminster* attend *Brigadier Ruggles* to the  
Gentlemen appointed to administer the Oaths, &c.

Who



Who returned that he had taken the Oaths, &c. and then the Member for *Hardwick* took his Seat in the House.

The Committee appointed to prepare a Remonstrance, in the Forenoon, reported.

Read several Times, and accepted, and *Ordered*, That Mr. *Otis*, Mr. *Hancock*, Col. *Warren*, Col. *Bowers*, Capt. *Thayer*, Mr. *Dursey*, and Mr. *Spooner*, be a Committee to wait on the Lieutenant Governor with the following Message.

*May it please your Honor,*

THE House of Representatives of this his Majesty's Colony, <sup>Message to His Honor.</sup> observing in your Proclamation for Proroguing the General Assembly, that you were pleased to assign as the *only* Reason "that you had received Instructions to meet the said Assembly at Cambridge," think it their indispensable Duty to Remonstrate to your Honor against any *such* Reason for Proroguing this Court; as being an Infraction of our essential Rights, as Men and Citizens, as well as those derived to us by the British Constitution and the Charter of this Colony.

We would further beg Leave to Remonstrate to your Honor, That the holding a General Assembly in Harvard-College, is utterly repugnant to the Interest of that Seminary of Learning, and consequently to the Designs of the *Representatives of this People*, in so liberally granting the Monies of their *Constituents* for its Emolument & Support.

For these Reasons, the House of Representatives are indispensably obliged to pray your Honor, to exert the Authority derived to you from his Majesty's Royal Commission, agreeable to the Charter of this Colony, and vested in you *alone*, in adjourning this Great and General Assembly to its ancient Place, the Court House in *Boston*.

We forbear particularly to mention to your Honor, the great Inconveniences which attend the Sitting of the Assembly in Cambridge, where the Members cannot be accommodated: But more especially as they are at a Distance from the Place where the Records of the Assembly are kept.

Then the House adjourn'd 'till To-Morrow Morning Ten o'Clock.'

VENERIS 16 Die Martii, A. D. 1770.

\*\*\* *Srael Williams*, Esq; returned a Member from *Hatfield*,  
 \*\*\* *I* and *Simeon Strong*, Esq; returned a Member from *Hadley*,  
 \*\*\* made their first Appearance in the House, <sup>*Hatfield and Hadley Members return'd.*</sup>

*Ordered*, That *Brigadier Ruggles* attend the said Gentlemen to the Gentlemen appointed to administer the Oaths, &c.

Who returned that they had severally taken the Oaths, &c. and then they took their Seats in the House.

Upon a Motion, *Ordered*, That Mr. *Hall* be of the Committee appointed Yesterday to wait on his Honor with a Message, in the Room of Mr. *Otis* who is absent; and the Committee waited on his Honor accordingly, and returned they had delivered the Message.

The

Letters com-  
municated.

The Speaker communicated to the House

A Letter from *Dennys DeBerdt*, Esq; dated London *Sept. 15, 1769.*

Another Letter from the same, dated London, *Sept. 30, 1769.*

Another Letter from the same, dated London, *October 12, 1769.*

Another Letter from the same, dated London, *November 1, 1769.*

Another Letter from the same, dated London, *Nov. 16, 1769.*

Inclosing a Copy of a Letter from him to the Earl of *Hillsborough*, and an Answer.

Also, a Copy of his Petition to his Majesty, and an Extract of a Letter from Governor *Bernard* to the Earl of *Hillsborough*.

A Letter from *William Bollan*, Esq; *October 3, 1769.*

A Message from the Lieutenant Governor by the Secretary,  
*Gentlemen of the House of Representatives,*

Message from  
His Honor.

**T**HERE being reserved by the Royal Charter to this Province certain Powers to the Governor; whensoever his Majesty's Pleasure is signified to me, whilst I am Commander in Chief, in what Manner those Powers shall be exercised, I think myself bound to conform to it.

I wish that every part of my Administration, whether by Force of Instructions or otherwise, might be satisfactory to the Members of the House, but I must not depart from my Duty to the King. If I should comply with the Desire of the House in Adjourning or Proroguing the Court to Boston, I apprehend I should incur his Majesty's Displeasure; and I the rather hope it will not be expected from me, because I shall never take Exception to the exercise of any Powers which are constitutionally in the House, although such Powers should be exercised in Consequence of Instructions given to the Members of the House by their Constituents.

Cambridge, 16th March 1770.

**T. Hutchinson.**

*Ordered*, That the Consideration of his Honor's Speech to both Houses at the Opening of this Session be further referred to Four o'Clock, P. M.

*Ordered*, That the Consideration of his Honor's Message of this Day be referred to Three o'Clock Afternoon.

### *Post-Meridiem.*

Committee on  
His Honor's  
Message.

The House taking into Consideration His Honor's Message of the Forenoon, after Debate, a Motion was made that a Committee of this House be appointed to prepare a Message to the honorable Board, representing the Reasons of this House against the Manner in which this General Assembly has been prorogued to this Place: And to desire, if they concur with the House in their Sentiments upon this Subject, that they would remonstrate against the Manner in which the Court has been prorogued; and take such Steps as they may think proper for the Removal of the Assembly to its ancient Seat the Court-House in *Boston*. And after Debate, Mr. Speaker, Mr. *Adams*, Mr. *Hancock*, Mr. *Leonard* and Capt. *Sheaffe*, were appointed to prepare a Message accordingly, and report.

*Ordered*, That the Consideration of his Honor's Speech to both Houses, be further refer'd 'till Tuesday Eleven o'Clock.



A Committee of the Corporation of Harvard-College desiring to be admitted into the House, were admitted accordingly ; and in the Name of the Corporation invited the House to attend the Solemnity of Installing a President on Wednesday next, and to Dine in the College-Hall ; and then the Gentlemen withdrew.

*Ordered*, That Mr. *Hancock*, Col. *Warren* and Capt. *Sheaffe*, be a Committee to wait on the Honored and Reverend the Corporation of Harvard College, and acquaint them that the House accept their Invitation, and will attend the Solemnity of the Installment, and Dine with the Overseers and Corporation accordingly.

Then the House adjourn'd 'till To-morrow Morning, Ten o'Clock.

SABBATI 17 *Die Martii*, A. D. 1770.

**THE** Committee appointed to prepare a Message to the honorable Board, reported a Message accordingly.  
Read and debated.

Accepted and *Ordered*, That Mr. *Hancock*, Mr. *Adams*, Mr. *Leonard*, Col. *Williams* of *Roxbury*, and Mr. *Hall*, be a Committee to carry the following Message to the Honorable Board.

*May it please this Honorable Board,*

**HIS** Honor the Lieutenant Governor and present Commander in Chief of this his Majesty's Colony, has been pleased in his Proclamation for Proroguing the Great and General Court or Assembly to assign as a Reason, " That he had received Instructions to meet the said Assembly at Cambridge".

Message to his Honor.

By the Royal Charter granted to this Province, the Power and Authority of adjourning, proroguing and dissolving the General Assembly is devolv'd on the Governor of the Colony, as he shall from Time to Time judge necessary : And it would have been unreasonable not to have been so ; inasmuch as a Person residing in the Colony, must be a more competent Judge of the Expedience and Necessity of the Time and Place for convening the General Assembly, than any residing in Great-Britain:

That Power was no doubt originally vested in the Crown : But when by Grant in Favor of the Commons in this Colony, it was devolv'd upon the Governor, it became a Right equally irrevocable with the other Charter Rights, and is wholly different from a Power delegated for the Good of the Constituents, which is in many Cases revocable at Pleasure.

As well may all Power and Authority vested in the Commander in Chief of the Colony be revok'd and annull'd as this : As well may the Governor be annihilated, and this Colony depriv'd of all the Benefits that flow from the monarchical Part of the Constitution, but what may be obtain'd by supplicating the Throne at three Thousand Miles distance.

The House therefore have thought it their indispensible Duty, to remonstrate to his Honor against the Proroguing this Court from

Z

Time



Time to Time, in Obedience to a Ministerial Mandate, as a Grievance ; and an Infraction on the essential Rights of this Assembly, deriv'd to them by the British Constitution, and the Royal Charter. Thus far they have proceeded to vindicate their Rights.

Moreover, The House have remonstrated to his Honor against the holding the General Assembly in Harvard-College, as being utterly repugnant to the Interest of that Seminary of Learning, and consequently to the Designs of the Representatives of this People in so liberally granting the Monies of their Constituents for its Emolument and Support.

And also considering the great Inconveniencies which attend the Sitting of the Assembly where the Members cannot be accommodated, more especially as they are at a Distance from the Place where their Records are kept, they have thought themselves indispensibly oblig'd to pray his Honor to adjourn this Great and General Assembly to its ancient Place, the Court House in *Boston*.

For these last mention'd Reasons the House pray the honorable Board to take such Steps as they think proper for the Removal of the Court to *Boston*.

Then the House adjourn'd 'till Monday next, Three o'Clock, P. M.



# V O T E S

Of the Honorable House of Representatives.

LUNÆ 19 *Die Martii*, A. D. 1770.



Petition of *Seth Kingsberry*, a Member of this House, setting forth, that on the 13th of *March* Instant, he was taken by one *Elijah Fisher*, a Deputy-Sheriff of the County of *Suffolk*, under Colour of a Writ of Execution, and the same Day committed to his Majesty's Goal in *Boston*, and is there restrained of his Liberty, and prevented attending this Court; and praying this House would take such Measures as they shall think proper for his Liberation.

Petition of  
*Seth Kingsberry*

Read and committed to Mr. Speaker, Mr. *Leonard*, Brigadier *Ruggles*, Col. *Ward*, Capt. *Sheaffe*, Brigadier *Prebble* and Major *Hawley*, to consider and report.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MARTIS, 20 *Die Martii*, A. D. 1770.

THE Committee appointed on Saturday last to carry a Message to the honorable Board, reported that they had deliver'd the Message.

It was mov'd that the House be adjourn'd till Three o'Clock Afternoon;

Whereupon it was moved, That an Enquiry be made of the Committee now sitting upon the Petition of *Seth Kingsberry*, Whether they shall be ready to report this Forenoon? And the House being inform'd that the said Committee would not be ready to report this Forenoon, It was again mov'd that the House adjourn till Three o'Clock.

The Speaker being absent, the Question was mov'd, Whether when the House shall adjourn, the Clerk be directed and empower'd to declare the Adjournment? Which pass'd in the Affirmative.

Then the House voted to adjourn till Three o'Clock this Afternoon; and the Clerk declared the House to be adjourn'd accordingly.

*Post*

*Post-Meridiem.*

The Committee on the Petition of *Seth Kingsberry* desired Leave to sit again, and that an Addition be made to the Committee.

*Ordered*, That Col. *Otis*, and Mr. *Otis*, be added to the Committee, and the Committee had Leave to sit again.

Messages to &  
from the Board.

Upon a Motion, *Ordered*, That Mr. *Hancock* go up to the honorable Board, to enquire whether they have acted upon the Message of this House delivered this Day?

Who return'd that he had deliver'd the Message.

*Samuel Dexter*, Esq; came down from the honorable Board to acquaint the House, that the Board have taken into Consideration the Message of the House, and have before them the Draft of an Answer to his Honor's Speech, in which said Message is particularly mention'd.

Upon a Motion, *Ordered*, That the Consideration of his Honor's Speech at the Opening of this Session, be further referr'd to Thursday next Eleven o'Clock.

Upon a Motion, *Ordered*, That the Consideration of the Memorial of the Overseers of Harvard-College be referr'd to Three o'Clock on Thursday next.

Then the House adjourn'd 'till To-Morrow Morning Ten o'Clock.

MERCURI, 21 *Die Martii*, A. D. 1770.

Letter commu-  
nicated,

THE Speaker communicated to the House a Letter from the Speaker of the House of Representatives of *Maryland*, dated 26th *February* 1770, inclosing Resolutions of said House.

Then the House adjourn'd 'till To-morrow Morning, Nine o'Clock.

JOVIS, 22 *Die Martii*, A. D. 1770.

THE Committee on the Petition of *Seth Kingsberry*, reported,

*Ordered*, That the Petition lie on the Table.

Report on  
Petition of  
*Seth Kingsberry*.

Upon a Motion, *Ordered*, That Capt. *Sheaffe* go up to the honorable Board, to enquire whether the Board have made Application to his Honor the Lieutenant Governor for the Removal of this Court to *Boston*, and whether they have receiv'd an Answer from him?

Who return'd that he had deliver'd the Message.

*William*



*William Sever*, Esq; came down from the honorable Board to acquaint the House, that the Board had made Application to his Honor relative to the Removal of the Court, and that he had return'd an Answer in the Negative.

Message from the Board.

It was mov'd that the Secretary be directed to attend this House.

The Secretary attended accordingly, and the House directed him to lay on the Table the Message of the honorable Board to his Honor, relating to the Removal of this Court to *Boston*, and his Honor's Answer.

Secretary directed.

The Secretary laid upon the Table the said Message of the honorable Board to his Honor, and his Answer.

Upon a Motion, *Ordered*, That Mr. *Hancock*, Brigadier *Prebble*, Mr. *Leonard*, Capt. *Sheaffe*, and Col. *Warren*, be a Committee to wait on his Honor the Lieutenant Governor, and desire him to order a Copy of his Instruction referr'd to, in his Speech to both Houses, to be laid before this House.

## *Post-Meridien.*

The Committee appointed to wait on his Honor the Lieutenant Governor, reported that they had delivered the Message, and that his Honor said he would order his Answer to be laid before the House by the Secretary this Afternoon.

A Message from his Honor the Lieutenant Governor by the Deputy Secretary.

Gentlemen of the House of Representatives;

*YOUR Committee by a verbal Message have desired me to communicate to the House a Copy of the Instructions which I have receiv'd for meeting the Court at Cambridge. I shall always be sorry when it is not in my Power to comply with the Desire of the House. I am not at Liberty to do it now, because the King has been pleas'd to order that no Letters nor Instructions to his Governor shall be communicated without his Majesty's special Leave.*

Message from His Honor.

*Boston, 22 March 1770.*

**T. Hutchinson.**

A Motion was made that a Committee of this House be appointed to consider the State of the Province, and enquire into the publick Grievances, and that the House proceed to no other Business till the said Committee shall report; and a Representation of certain publick Grievances accompanying the Motion,

Committee to consider the State of the Province.

*Ordered*, That Mr. Speaker, Mr. *Adams*, Major *Hawley*, Col. *Otis*, Mr. *Leonard*, Mr. *Hancock*, Capt. *Sheaffe*, Mr. *Spooner* and Capt. *Darby*, be a Committee to consider the State of the Province, and to enquire into publick Grievances, and report.

Then the House adjourn'd till To-Morrow Morning Ten o'Clock.

VENERIS 23 *Die Martii*, A. D. 1770.

THE Committee appointed to inquire into Grievances, came in and acquainted the House that they should be ready to make report in the Afternoon; and desired the Indulgence of the House—Then, the House, was adjourn'd 'till Three o'Clock, the Committee being first directed to sit forthwith.

### *Post-Meridiem.*

The Committee to consider Grievances came in and acquainted the House that they were not yet ready to report, and desired Leave to sit again.

*Ordered*, That Col. *Otis*, Mr. *Hancock*, Capt. *Sheaffe*, Mr. *Adams* and Mr. *Leonard*, be a Committee to prepare a Message to his Honor the Lieutenant-Governor, praying the Removal of the Assembly to *Boston*, founded on the Act of this Province of the 10th of *William* the Third.

The Committee appointed to prepare a Message to his Honor the Lieutenant Governor, reported.

Read and accepted, and *Ordered*, That Mr. *Hancock*, Brigadier *Prebble*, Col. *Noyes*, Capt. *Sheaffe*, and Mr. *Gardner* of *Stow*, be a Committee to present the same to the Lieutenant Governor. The Message is as follows.

*May it please your Honor,*

Message to his Honor.

THE House of Representatives beg Leave still to remonstrate to your Honor against the holding this General Assembly in Cambridge, as being repugnant to the Constitution and the Law of this Province.

By an Act passed in the tenth Year of his late Majesty King William of glorious Memory, which received his royal Approbation, and is now in Force, the Form of a Writ for calling the General Assembly is established; wherein it is ordered, that the General Assembly be convened, held and kept in the *Town House in Boston*: Hence it appears that the Town-House in Boston is by Law established as the only Place for holding the Assembly; and we take the Liberty to express our Sentiments that no Instruction ought to be deemed of sufficient Force to invalidate the Law.

With Regard to the Instruction which seems to lie with so much Weight on your Honor's Mind, we would observe that when a Bill was brought into the British Parliament to give the royal Instructions in the Colonies the Force of Law, the Commons then asserted the Rights of the People, and rejected it with Disdain.

We therefore *again* intreat your Honor further to take this Matter under your Consideration, and, agreeable to the Request of both Houses, to order the Removal of this General Assembly to its ancient and *legal* Place, the Court-House in Boston.

The Committee reported that they had waited on his Honor, and deliver'd the Message.

A Message from his Honor the Lieutenant Governor, by the Secretary.

Gentlemen



Gentlemen of the House of Representatives,

**Y**OUR Observation upon the Form of the Writ for calling the General Assembly has been made in former Controversies so long ago as in Governor Burnet's Administration, but it did not then prevail. The Words, "The Town of Boston" in the Writ, like the Words "William the Third", were understood to be meer Matter of Form, the one adapted to the Place where the Court had usually been held, the other to the Prince then on the Throne.

Message from  
His Honor.

I never have attempted to give the King's Instructions the Force of Laws. If I was convinced that by any Law the Court must be held at Boston, I should not very easily be induced to Prorogue it to any other Place until such Law should be repealed.

Council Chamber,

Cambridge,

March 23, 1770.

**T. Hutchinson.**

Read and committed to the Committee of Grievances to consider and report.

Then the House adjourn'd 'till To-morrow Morning, Ten o'Clock.

SABBATI 24 *Die Martii*, A. D. 1770.

**T**HE Committee appointed to consider the State of the Province; and also to consider his Honor's Message of Yesterday, made Report, and desired Leave to sit again.

*Ordered*, That the Secretary be directed to attend this House.

The Secretary accordingly attended the House.

Secretary did  
rested. —

Mr. Speaker, by Order of the House, enquired of the Secretary, Whether the Act of this Province made in the 5th of William and Mary, for putting and keeping in Repair the Town-House in *Boston*, be repealed?—To which the Secretary answered, That he did not know that said Law had been Repealed. Then the House proceeded to the Consideration of the Report of the Committee to consider Grievances; and the Question being put, *Whether the House will accept the Report?* Pass'd in the Affirmative.

The Report is as follows.

**W**HEREAS in and by an Act of this Province made and passed in the tenth Year of his late Majesty King William the Third, it is enacted and ordained, that the Writ to be at any Time thereafter issued by the Governor or Commander in Chief of the said Province shall be in the Form following, viz.

Report on  
Grievances.

William the Third by the Grace of God, of England, Scotland, France and Ireland, KING, Defender of the Faith, &c.

To our Sheriff or Marshal of our County of S. within our Province of the Massachusetts-Bay in New-England,

Greeting,

WE command, that upon Receipt hereof, you forthwith make out your Precept, directed unto the Selectmen of each respective Town, within your Precinct, requiring them to cause the Freeholders



ders and other Inhabitants of their several Towns, duly qualified as in and by our Royal Charter is directed, to assemble at such Time and Place as they shall appoint, to elect and depute one or more Persons (being Freeholders and resident in the same Town) according to the Number set and limited by an Act of the Great and General Court or Assembly of our aforesaid Province, to serve for and represent them respectively in a Great and General Court or Assembly by us appointed to be convened, held and kept for our Service: AT THE TOWN-HOUSE IN BOSTON, upon the Day of next ensuing the Date of these Presents; and to cause the Person or Persons so elected and deputed by the major Part of the Electors present at such Election, to be timely notified and summoned by the Constable or Constables of such Town, to attend our Service in the said Great and General Court or Assembly on the Day above prefixed, by nine in the Morning, and so *De Die in Diem*, during their Session and Sessions; and to return the said Precepts with the Names of the Person or Persons so elected and deputed unto yourself; whereof you are to make Return, together with this Writ and of your Doings therein under your Hand into our Secretary's Office at *Boston*, one Day at the least before the said Court's sitting. Hereof you may not Fail at your Peril. Witness and Commander in Chief in and over our Province of the Massachusetts-Bay aforesaid. Given at *Boston*, under the publick Seal of our said Province the Day of in the Year of our Reign, Annoque Domini. By Command of

J. A. Secr.

And by the same Act, the Precept to be issued by the Sheriff or Marshal, in Observance of said Writ, shall be in Form as follows. *Suffolk, ss.*

IN Observance of his Majesty's Writ to me directed, These are in his Majesty's Name to will and require you forthwith to cause the Freeholders and other Inhabitants of your Town, that have an Estate of Freehold in Land within this Province or Territory, of *Forty Shillings* per Annum at the least, or other Estate to the Value of *Fifty Pounds* Sterling, to assemble at such Time and Place as you shall appoint: Then and there to elect and depute one or more Persons (being Freeholders and Resident in the same Town) according to the Number set and limited, by an Act of the General Assembly, to serve for and represent them in a Great and General Court or Assembly, appointed to be convened, held and kept for his Majesty's Service, at the Town-House in *Boston*, upon the Day of next ensuing the Date hereof: And to cause the Person or Persons so elected and deputed, by the Major Part of the Electors present at such Election, to be timely notified and summoned by one or more of the Constables of your Town, to attend his Majesty's Service in the said Great and General Court or Assembly, on the Day above prefixed, by Nine in the Morning, and so *De Die in Diem* during their Session and Sessions. Hereof fail not. And make Return of this Precept, with the Names of the Person or Persons so elected and deputed, with their being summoned,

ed, unto myself      Days at the least before the said      Day of  
next.

Given under my Hand and Seal at B. the      Day of  
in the      Year of his Majesty's Reign. *Annoque Domini*  
*To the Select-Men of the Town of B.*      A. B.  
*in the County above said.* Greeting.      of the County of Suffolk.

Which said Act was in due Season laid before his said Majesty King William the Third of glorious Memory, and did then receive his Royal Approbation : And therefore being a perpetual Act and not repealed, is now in full Force, and cannot be repealed by any Authority but that of the Legislative Body of this Province. This being the Form of the Writ prescribed in the said Act, the *Town House in Boston* is the Place thereby established for the holding and keeping, as well as the convening the Great and General Assembly of this Province.

And whereas this Province by a perpetual Act of the fifth of William and Mary, hath made Provision for the upholding and repairing the said Town House in Boston, for the holding the said Assembly ; which amounts to an Establishment of the Seat of Government in that Place ; and seems to be the Foundation and Reason of expressly inserting the Name of the Place in the Form of the Writ aforesaid : And also in providing there, an elegant Mansion House for the Residence of the Governor and Commander in Chief : And the said General Assembly hath constantly been convened, held and kept at the said *Town House* in Boston, agreeable to the Act aforesaid ; pestilential Sickness in said Town, and other extraordinary Cases necessarily preventing it, excepted.

*Resolved*, That the holding and keeping, as well as the convening the said Great and General Assembly by Force of Instruction or otherwise, at any other Place than in Boston aforesaid, is attended with very great Inconveniencies ; is contrary to the ancient Custom and Usage of the said Assembly ; in direct Repugnancy of the Constitution and the Establishment aforesaid : And therefore a *Grievance*.

And whereas both Houses of this Assembly have remonstrated to his Honor the Lieutenant Governor and present Commander in Chief of this Colony, against the holding this General Assembly in Cambridge ; and have prayed his Honor to remove the same to its ancient Seat the Court House in Boston : But his Honor hath repeatedly refused to comply with their Request :

*Therefore Resolved*, That this House do now proceed to Business under this Grievance, *only from absolute Necessity* : Hereby protesting against the Illegality of holding the Assembly as aforesaid ; and ordering this their Protest to be entered on their Journals, to the End that the same may not be drawn into Precedent at any Time hereafter.

And whereas his Honor the Lieutenant Governor hath been pleased in his Answer of Yesterday to a Message of this House, to intimate, that the aforesaid Act of this Province, of the tenth of William III. in no wise establishes the Town-House in Boston as the Place for convening, holding and keeping the General Assembly ; expressly declaring, that " the Words *the Town of Boston* in the Writ

prescribed in said Act, like the Words *William the Third*, were understood to be meer Matters of Form."

**RESOLVED**, as the Sense of this House, that his Honor's Strictures thereon is not satisfactory or conclusive. The Name of the King is of the Substance of the Writ: But the Words *William the Third*, as all other Words descriptive of Things in their own Nature changeable, must in all established Forms be equally changeable themselves; and so far may be considered as meer Matter of Form, or *Gratia Exempli*. Yet, that can by no Means be the Case with Respect to Words descriptive of Things in their own Nature fix'd and perpetual; as when a *certain Place* is designated.

**Therefore RESOLVED**, That the Determination of this House to proceed to Business, is by no Means to be considered, at any Time hereafter, as a *Renunciation* of the Claim of the House to the legal Right of sitting in General Assembly at its ancient Place, the Court-House in Boston.

Committee to  
revise Laws.

Upon a Motion made, **Ordered**, That Capt. *Sheaffe*, Col. *Williams* of Roxbury, and Mr. *Hancock*, be a Committee to examine the last Edition of the Standing Laws of the Province, and report to the House whether it be compleat.

**Ordered**, That Major *Humphrey*, Capt. *Reed*, and Mr. *Williams* of Taunton, be a Committee to revise the Temporary Laws, and report to the House such of them as are expired, or near expiring.

The House entered into the Consideration of his Honor's Speech, and **Ordered**, That the Speaker, Mr. *Adams*, Mr. *Leonard*, Col. *Otis*, and Major *Hawley*, be a Committee to consider the same, prepare an Answer, and report.

Memorial of  
Overseers of  
Harvard Col-  
lege.

A Memorial of the Overseers of Harvard College, representing that the Reverend Mr. *Samuel Locke* of *Sherburne*, hath been unanimously chosen by the Corporation of Harvard College to preside over that Society; and that the Choice hath been unanimously consented to by the Board of Overseers: Submitting to this House such generous Aid as may be thought proper on this Occasion; more especially respecting any Assistance to the Parish of *Sherburne*, towards the Settlement of another Pastor.

**Read and Ordered**, That Major *Gallison*, Col. *Otis*, Col. *Ward*, Mr. *Bigelow* of *Worcester*, Mr. *Spooner*, Mr. *Remington*, and Col. *Williams* of Roxbury, consider this Memorial, and report.

Petition of  
Justices of  
*Worcester*  
Courts.

A Petition of the Justices of the Court of General Sessions of the Peace, and Inferior Court of Common Pleas for the County of *Worcester*; praying that another Term for the Superior Court in said County may be granted; and that the Terms for the Courts of Sessions and Common Pleas for said County may be altered.

*Ordered,*



Ordered, That Mr. *Sumner*, Mr. *Pickering* Mr. *Strong*; Brigadier *Prebble*, Capt. *Sheaffe*, Capt. *Thomas*, Col. *Otis*, Mr. *Williams*, Mr. *Bragdon* and Major *Foster*, consider this Petition and report. The said Committee are instructed to consider the Expedience or Necessity of altering the Times of holding the several Courts in the Province ; and also of another Term for the Superior Court of Judicature, &c. for the Counties of *Hampshire* and *Berkshire*, to be holden in the County of *Hampshire*, and report thereon.

Then the House adjourn'd 'till Monday next, Three o'Clock, P. M.







# VOTES

Of the Honorable House of Representatives.



LUNÆ 26 *Die Martii*, A. D. 1770.



UPON a Motion made, *Ordered*, That Col. Otis prepare and bring in a Resolve, for the Adjournment of the Court of General Sessions of the Peace and Inferior Court of Common Pleas, for the County of *Barnstable*, who reported accordingly.

*Barnstable*  
Court adjourn'd

Read and *Resolved*, That whereas the Court of General Sessions of the Peace and Inferior Court of Common Pleas for the County of *Barnstable*, according to the Time appointed by Law, should be holden at *Barnstable* in said County, on the first Tuesday in *April* next: And whereas sundry of the Justices and Officers of said Courts, and others concerned in the Business thereof, are Members of this Court, which is likely to continue Sitting beyond the Time aforesaid by Law appointed for holding said Courts.

*Therefore Resolved*, That said Courts be and hereby are adjourn'd unto the third Tuesday in *April* next, then to be holden at said *Barnstable*; and that all Pleas, Processess, Writs, Actions, Suits issued or to be issued, Complaints, Precepts, Recognizances, and all other Matters and Things returnable and having and that should have had Day in said Courts, if the same had been holden the said first Tuesday in *April*, shall be returnable and have Day in said Courts on the said third Tuesday of *April*, and shall abide and continue unto that Time, and shall then be proceeded, heard, tried and determined to all Intents and Purposes, as effectually as if said Courts should have been held on the first Tuesday of *April* aforesaid; and all Executions returnable on the said first Tuesday of *April* may be return'd into the Clerk's Office of said Courts, and alias Executions issued afterwards in like Manner as if this Adjournment had not been made.

Sent up for Concurrence.

A Petition of Rev. *Eli Forbes*, praying an Allowance for boarding, cloathing, and instructing three Indian Boys, mention'd in the Petition.

Petition of  
Rev. E. Forbes.

Read and committed to Capt. *Haywood*, Capt. *Kingsberry*, and Major *Foster*, to consider and report.

C c

A



Petition of  
Inhabitants of  
*Cape Elizabeth.*

A Petition of a Number of Inhabitants of *Cape Elizabeth*, praying that this Court would explain the Act incorporating them into a District, for the Removal of certain Doubts mention'd in their Petition.

Read and committed to Mr. *Lombard*, Mr. *Herrick*, and Mr. *Phillips*, to consider and report.

Petition of  
Inhabitants of  
*Greenfield*  
revived.

Upon a Motion, *Ordered*, That the Petition of the Inhabitants of *Greenfield*, be revived.

Read again, and committed to Mr. *Denny*, Col. *Ward*, and Mr. *Pickering*.

Petition of  
*Stephen Johnson*

A Petition of *Stephen Johnson* of *Andover*, praying that he and his Lands lying in the second Precinct in *Boxford*, may be annexed to the North Parish in *Andover*.

Read, and *Ordered*, That the Petitioner notify the second Precinct in *Boxford* of this Petition, by serving the Clerk of said Precinct with a Copy thereof, to shew Cause on the second Wednesday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Petition of  
*Joseph Rotch*.

A Petition of *Joseph Rotch*, praying to be empowered to sell certain Lands mentioned therein.

Read and committed to the Committee for the Sale of Lands.

Petitions of  
*Hilkiab Grout*  
and *J. Foster*  
revived.

Upon a Motion, *Ordered*, That the Petition of *Hilkiab Grout* be revived, and committed to the Committee for Sale of Lands.

And that the Petition of *Jedediah Foster*, Esq; be revived, and committed to the same Committee.

Upon a Motion, *Ordered*, That Col. *Otis*, Brigadier *Ruggles*, Major *Humphrey*, Mr. *Gardner* of *Cambridge*, and Col. *Ward*, be a Committee to wait on the Rev. Mr. *Appleton*, and desire him to officiate as Chaplain to this House during the present Session.

Who returned that they had delivered the Message.

Then the House adjourn'd 'till To-morrow Morning, Ten o'Clock.

MARTIS, 27 *Die Martii*, A. D. 1770.

Petition of  
*Ph. Haywood*.

\*\*\* Petition of *Phineas Haywood*, praying for Liberty to sell \*\*\* A \*\*\* certain Lands mention'd in the Petition.

\*\*\* Read, and *Ordered*, That the Committee for the Sale of Lands consider the Petition, and report.

Secretary directed.

Upon a Motion made, *Ordered*, That the Secretary be directed to lay on the Table the Petition of *Benjamin Williams*, and others.

Petition of  
*Eliz. Johnson*.

A Petition of *Elizabeth Johnson*, praying for Liberty to sell certain Lands, mention'd in the Petition.

Read, and *Ordered*, That the Committee for the Sale of Lands consider the Petition and report.

Petition of  
*Daniel Foot*.

A Petition of *Daniel Foot*, and others, praying for Confirmation of certain Records mention'd in the Petition.

Read and committed to Major *Doan*, Major *Day*, and Mr. *Wood* of *Boxford*.

Upon

Upon a Motion, *Ordered*, That Col. *Otis*, Brigadier *Ruggles*, and Mr. *Williams* of *Taunton*, be a Committee with such as the honorable Board shall join, to prepare a Bill to impower the Justices of the Inferior Court of Common Pleas to grant Liberty for the Sale of Lands in all Cases wherein the Justices of the Superior Court, &c. are vested with the same Power.

Justices of Inferior Courts impowered to sell Lands.

Sent up for Concurrence.

*William Sever*, Esq; brought down the Petition of *Henry Young Brown*. Pass'd in Council, viz. In Council, March 24, 1770.

Petition of H. Young Brown bro't down.

Whereas the Committee within mention'd have attended the Service for which they were appointed; but by Reason of the Absence of *Jeremiah Powell*, Esq; one of said Committee, are doubtful whether they may make Report of their Doings, unless specially authoriz'd so to do: And whereas no small Expence and other Inconvenience may arise to the Grantee of the Land in the foregoing Order of Court mention'd, by delaying such Report to any future Session: Therefore order'd that two of the said Committee now present make Report of their Proceedings in pursuance of said Order, the Absence of the third notwithstanding.

Sent down for Concurrence.

Read and concur'd.

The Committee appointed to consider his Honor's Speech at the Opening of this Session, reported.

Read and accepted, and *Ordered*, That Mr. *Hall*, Brigadier *Prebble*, Capt. *Darby*, Capt. *Thayer* and Mr. *Pickering*, be a Committee to wait on his Honor the Lieutenant Governor with the following Answer to his Speech to both Houses.

*May it please your Honor,*

THE House have taken your Speech at the Opening of this Session into their Consideration, and cannot but express their Concern at your Honor's supposing yourself to have been necessitated by the Instructions you have received to Prorogue the General Court to this Time and Place; and are constrained to say that if your Honor's Principles in that Respect are hereafter to be adopted by the Commanders in Chief of this Province, we hope his Majesty's Ministers will pay more Regard to the Charter and Constitution of this Province than they seem to have done in this Instance, before they again advise our most Gracious Sovereign to give such Instructions.

Answer to his Honor's Speech

We shall cheerfully attend to your Honor's Message respecting any necessary Amendments or Alterations in our Laws, or any other Matter of common Utility, and are very desirous of transacting the Business of this Province, which is now greatly in Arrear with Dispatch; but the many Inconveniences attending the holding of the General Court at Cambridge will of necessity greatly retard it.

However, your Honor may rely upon it, that this House will do every Thing in their Power for promoting the Peace, good Order and lasting Tranquility of this Province.

Upon a Motion, *Ordered*, That the Secretary be directed to lay upon the Table the Petition of the Inhabitants of *Winchendon*.

Secretary directed.



Petition of *John Bolton.* A Petition of *John Bolton*, praying for Liberty to sell certain Lands therein mentioned.

Read, and *Ordered*, That the Committee for the Sale of Lands consider this Petition, and report.

Petition of *Susanna Hodge.* A Petition of *Susanna Hodge*, praying that a Fine laid upon her Husband, by a Judgment of the Superior Court, as mention'd in the Petition, may be remitted.

Read and committed to Mr. *Hall*, Mr. *Greenleaf* and Mr. *Remington*, to consider and report.

Petition of *Nims.* A Petition of *Nims*, praying for Liberty to sell Lands. Read and committed to the Committee for the Sale of Lands.

Petition of *Susanna Brands.* A Petition of *Susanna Brands*, praying for Liberty to sell Land mention'd therein.

Read and committed to the Committee for the Sale of Lands.

Petition of sundry Inhabitants of *South-Hadley.* A Petition of sundry Inhabitants of *South-Hadley*, setting forth that in apportioning the last Province Tax, the Town of *Granby* was wholly omitted, and the whole Sum which ought to have been laid on *South-Hadley* and *Granby*, was laid on *South-Hadley*; and praying the same may be rectified.

Read and committed to Mr. *Lombard*, Major *Davis*, and Mr. *Pain*, to consider and report.

Petition of the Proprietors of *Lisburne.* A Petition of the Proprietors of *Lisburne*, praying that they may be empower'd to levy a Tax on all the Lands of said Propriety, for the Purposes mentioned in said Petition.

Read and committed to Capt. *Dix*, Mr. *Steward*, and Mr. *Foster*, to consider and report.

Petition of *Eleanor Graves.* A Petition of *Eleanor Graves*, praying for Liberty to sell certain Land mention'd therein.

Read and committed to the Committee for the Sale of Lands.

Petition of the Inhabitants of *Taunton.* A Petition of the Inhabitants of the Town of *Taunton*, praying that this Court would appoint a Committee to settle a Line between the Towns of *Taunton* and *Middleborough*.

Read, and the Petitioners had Leave to withdraw the Petition.

Message from His Honor. A Message from his Honor the Lieutenant Governor by the Deputy Secretary, viz.

Gentlemen of the House of Representatives,

**B**urglaries and Thefts have been so frequently committed within these few Years past, in the Town of Boston especially, that it seems absolutely necessary for us to make further Provision for the Punishment of these Offences. Our Laws which respect Burglary are very incorrect, and are so construed as to fail of the Effect which it is most probable the Legislators intended they should have.

The Punishment of Larceny or Theft is inconsiderable, and there is no Room to doubt that bad People frequently come into this Province from other Governments, where this Offence is punish'd with Death, merely for the Sake of committing it here at the Risque of a small Fine, or a slight corporal Punishment. I cannot therefore avoid recommending to you to take these Laws into your Consideration, and make such Amendments or Alterations as shall appear to be necessary.

Cambridge, 27 March 1770.

T. Hutchinson.



Read, and *Ordered*, That this Message be considered this Afternoon, at Four o'Clock.

The Committee on the Petition of the Rev. Mr. *Eli Forbes*, reported. Report on  
Petition of  
Rev. *E. Forbes*.

Read and accepted, and *Ordered*, That the Province Treasurer pay out of Sir *Peter Warren's* Donation to the Petitioner, the Sum of *Sixty-one Pounds ten Shillings*, in full for his boarding, cloathing and instructing three Indian Children in his Petition mention'd, from the 3d Day of *June* last, until the 19th Day of *March* Instant : And that he be discharg'd of the *Fifteen Pounds* ordered to be paid to him by the General Court in *June* last, to enable him to send Home two of the said Children, for which Sum he was then made accountable. Sent up for Concurrence.

## *Post-Meridiem.*

Upon a Motion, *Ordered*, That the Town of *Lenox* be allowed a Set of the Province Laws. Sent up for Concurrence.

A Petition of *Benjamin Leigh* and *John Almond*, praying for a Grant to enable them to carry on the Potter's Manufacture in *Boston*. Petition of  
*Benj. Leigh, &c.*

Read and committed to Mr. *Hancock*, Capt. *Brown*, & Col. *Murray*.

The Committee on the Petition of the District of *Greenfield*, reported. Report on  
Petition of  
District of  
*Greenfield*.

Read and accepted, and *Ordered*, That the Petitioners notify the Town of *Deerfield*, by serving their Clerk with a Copy of this Petition, that they shew Cause, if any they have, on the second Tuesday of next *May* Session, why the Prayer thereof should not be granted. Sent up for Concurrence.

A Petition of *Robert Ball*, Keeper of the Light-House, praying for an Allowance for his Service and Expence mention'd.

Also a Petition of *John Thomas, Esq;* Keeper of the Light-House in *Plymouth Harbour*, praying for an Allowance for his Service and Expence. Petition of  
*Robert Ball, &c.*

*Ordered*, That Capt. *Sheaffe*, Mr. *Wheelwright*, and Mr. *Gardner* of *Stow*, consider the said Petitions, and report.

Upon a Motion, *Resolved*, That this House will proceed to the Choice of a Gentleman to deliver a Sermon before the General Assembly on the Day of the Election of Councillors in *May* next, To-morrow at Eleven o'Clock.

The Message of his Honor the Lieutenant Governor of this Forenoon, was read again. His Honor's  
Message read  
again.

*Ordered*, That Col. *Williams* of *Hatfield*, Major *Hawley*, and Mr. *Leonard*, with such as the honorable Board shall join, be a Committee to take the same into Consideration, and report.

A Petition of the Inhabitants of *Colrain*, praying that this Court would afford them Aid in building a Bridge over *Deerfield River*. Petition of  
Inhabitants of  
*Colrain*.

Read, and ordered to lie.

A Petition of *Smith*, and others, of *Ashfield*, praying for Relief from Taxes, for Reasons mentioned. Petition of  
— *Smith* —

Read and committed to Mr. *Lombard*, Capt. *King*, and Col. *Williams* of *Roxbury*. D d A

Petition of *Eunice Spywood* A Petition of *Eunice Spywood*, praying for an Allowance for Nursing *Sarah Wampsquam*, a *Natick* Indian Woman.

Read and Ordered, That *Mr. Kingsberry*, *Mr. Whitcomb*, and *Col. Williams* of *Roxbury*, consider the Petition and report.

Committee for a Bill. Upon a Motion, Ordered, That *Col. Otis*, *Mr. Sumner*, and *Mr. Kingsberry*, with such as the honorable Board shall join, be a Committee to bring in a Bill for the Relief of poor Indians through the Province. Sent up for Concurrence.

Petition of *John Dun.* A Petition of *John Dun*, praying for the Rehearing of an Action mention'd therein.

Read, and ordered to lie.

Petition of *J. Williams, &c.* A Petition of *James Williams* and *Daniel Leonard*, Esqrs; of *Taunton*, praying that an Action brought against the Selectmen of said Town by the Selectmen of *Middleborough*, may be continued, and that Measures may be taken for establishing a Line between said Towns and the Counties of *Bristol* and *Plymouth*.

Read and Ordered, That the Prayer be so far granted, that the Petitioners notify the Town of *Middleborough* of this Petition, to shew Cause on the second Wednesday of the next Sitting of this Court, why the Prayer should not be granted, and that the said Action be continued in the mean Time.

Secretary directed. Upon a Motion, Ordered, That the Secretary be directed to lay on the Table the Petition of *Joseph Root*, Esq;

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MERCURII, 28 Die Martii, A. D. 1770.

Bill read. Bill to impower the Inhabitants of the Town of *Newbury-Port*, belonging to the several religious Societies within the same, to raise Money for defraying ministerial and other necessary Charges.

Read twice, Ordered, That this Bill be read again To-morrow ten o'Clock.

Petition of *Benj. Hammet.* A Petition of *Benjamin Hammet*, and others, praying for Relief from Difficulties they are under through Want of Explanation of an Act of this Province therein mention'd.

Read and committed to *Brigadier Prebble*, *Col. Bowers*, *Mr. Denny*, *Mr. Leonard*, and *Mr. Gardner* of *Stow*.

Petition of the East Part of *Harwich.* A Petition of the East Part of the Town of *Harwich*, praying to be set off to *Eastham*.

Read and committed to *Col. Williams* of *Roxbury*, *Col. Bowers*, *Mr. Nye*, *Col. Murray*, and *Capt. Robinson*.

Mr. Cooke chosen to preach the Election Sermon. The House proceeded according to Order to the Choice of a Gentleman to preach the Sermon on the Day of the Election of Counsellors in *May* next; and *Capt. Sheaffe*, *Col. Ward*, and *Col. Otis*, were appointed a Committee to sort and count the Votes.

Then the House brought in their Votes, and it appear'd that the *Rev. Mr. Samuel Cook*, of *Cambridge*, was chosen.

Ordered,



*Ordered*, That Mr. *Hancock*, Mr. *Gardner* of *Cambridge*, and Mr. *Hall*, wait on the Rev. Mr. *Cook*, and acquaint him that this House have made Choice of him to deliver a Sermon before the General Assembly on the Day of Election of Counsellors in *May* next.

The Committee on the Petition of *Hilkiab Grout*, reported.

Report on  
Petition of  
*Hilkiab Grout*.

Read and accepted, and *Ordered*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make Sale of so much of the said Deceased's Real Estate as shall be sufficient to discharge the Debts, and to make and execute a good Deed or Deeds of the same to the Purchaser or Purchasers, he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators. And that the Money arising by said Sale or Sales be apply'd for the Purposes mention'd in this Petition.

Sent up for Concurrence.

The Committee on the Petition of *Joseph Rotch*, reported.

Report on  
Petition of  
*Joseph Rotch*.

Read and accepted, and *Ordered*, That the Prayer thereof be granted, and that the Petitioner be and hereby is empowered to make Sale of the Real Estate mention'd in the Petition, for the most it will fetch, and make and execute a good Deed or Deeds thereof to the Purchaser or Purchasers, he observing the Directions of the Law for the Sale of Real Estates by Executors and Administrators. And that the Proceeds arising by such Sale be apply'd for the Payment of the just Debts of the said Deceased.

Sent up for Concurrence.

The Committee on the Petition of *Jedediah Foster*, Esq; reported.

Report on  
Petition of  
*Jedi. Foster*.

Read and accepted, and *Ordered*, That the Prayer be granted, and that the Petitioner be and hereby is empower'd in his said Capacity to make Sale of the House and Land mention'd, and to make and execute a good Deed to the Purchaser; he observing the Rule of the Law for the Sale of Real Estates by Executors and Administrators, and applying the Proceeds to the Purposes mentioned in the Petition, giving sufficient Caution to the Judge of Probate for the County of *Worcester*, that the Produce of said Sale shall be dispos'd of according to the Will of the Testator.

Sent up for Concurrence.

The Committee on the Petition of *Samuel Moor*, and *Clark Chandler*, reported.

Report on  
Petition of  
*S. Moore, and  
C. Chandler*.

Read and accepted, and *Ordered*, That the Prayer be granted, and that the Petitioners be and hereby are empower'd to sell all the Real Estate mentioned, and make and execute a good Deed or Deeds of the same, observing the Rules of the Law for the Sale of Real Estates, and giving Caution to the Judge of Probates for the County of *Worcester*, that the Proceeds be apply'd for the Purposes mention'd in the Petition.

Sent up for Concurrence.

The Committee on the Petition of *Eunice Spywood*, reported.

Petition of  
*Eu. Spywood*  
dismiss'd.

Read and *Ordered*, That the Petition be dismiss'd.

*Gamaliel Bradford*, Esq; brought down the Petition of the second Precinct in *Hingham*.

Petition of  
second Precinct  
in *Hingham*,  
bro't down.

Pass'd in Council, viz. In Council, *March 28, 1770*.

Read again, with the Answer, and *Ordered*, That *John Bradbury*, Esq; with such as the honorable House shall join, be a Committee



to take this Petition into Consideration, hear the Parties and report.  
Sent down for Concurrence.

Read and concur'd, and Col. *Gerrish* and Mr. *Bancroft* are joined.

Petition of  
*C. Goodrich*  
bro't down.

The Petition of *Charles Goodrich*, bro't down from the honorable Board. Pass'd in Council, viz. In Council, *March 28, 1770.*

Read again, and it appearing that the Petitioner had omitted taking out a Copy of this Petition for Notification; therefore reviv'd, and

*Ordered*, That the Petitioner notify the adverse Party, or his Agent, with a Copy of this Petition, that he shew Cause, if any he have, on the second Wednesday of the next *May* Session of the General Court, why the Prayer should not be granted.

Sent down for Concurrence. Read and concur'd. Sent up.

Report on  
Petition of  
*Susanna Hodge*.

The Committee on the Petition of *Susanna Hodge*, reported that there be paid out of the publick Treasury the Sum of *One Hundred Pounds*, for the Reasons mention'd in the Petition.

Accepted and *Resolv'd* accordingly.

Sent up for Concurrence.

Memorial of  
*Sam. Dwight*

A Memorial of *Samuel Dwight*, praying to be empowered to make Sale of a House and Land in the Petition mention'd.

Read and *Ordered*, That the Committee for the Sale of Lands consider the Petition, and report.

Petition of  
*Richard King*.

A Petition of *Richard King*, praying that he may have a Rehearing of a Cause mention'd in the Petition.

Read and committed to Mr. *Lombard*.

Petition of  
*Japh. Bicknal*  
bro't down.

A Petition of *Japheth Bicknal*, bro't down from the honorable Board. Pass'd in Council, viz. In Council, *March 28, 1770.*

Read again, together with the Answer, and *Ordered*, That *William Sever*, Esq; with such as the honorable House shall join, be a Committee to consider the Petition, hear the Parties, and report.

Sent down for Concurrence. Read and concur'd.

Letter from  
*W. Bolland*, Esq;  
bro't down.

*William Sever*, Esq; brought down a Letter from *William Bolland*, Esq; dated *Westminster, December 1, 1769.*

Read and *Ordered*, That Col. *Otis*, Capt. *Sheaffe* and Major *Hawley*, with such as the honorable Board shall join, take the same into Consideration, and report.

Upon a Motion, *Ordered*, That Col. *Bowers*, Mr. *Hancock*, Mr. *Adams*, Mr. *Spooner* and Mr. *Leonard*, be a Committee to take into Consideration the Letters from *Dennys DeBerdt*, Esq; and *William Bolland*, Esq; to the Speaker of this House, and report.

Upon a Motion, *Resolved*, That this House will proceed to the Choice of Civil Officers on Friday next at ten o'Clock. And that Mr. *Spooner* go up to the honorable Board to acquaint them of this Resolve, and that the House propose that the said Choice be made by joint Ballot.

Who return'd that he had deliver'd the Message.

Petition of  
*Abel Lawrence*.

A Petition of *Abel Lawrence*, praying for a Rehearing of an Action therein mention'd.

Read, and the Petitioner had Leave to withdraw his Petition.

*William*

*William Sever*, Esq; came down from the honorable Board to acquaint this House, that the Board agree to proceed to the Choice of Civil Officers on Friday next, in the Manner propos'd by the House.

Message from the Board.

A Petition of *Samuel Heydon*, of *Torrington*, in *Connecticut*.  
Read, and Ordered to lie.

Petition of *Sam. Heydon*.

*William Sever*, Esq; bro't down the Petition of *Benjamin Cudworth*, with an Answer.

Petition of *Benj. Cudworth* bro't down.

Pas'd in Council, viz. In Council, *March 28, 1770.*

Read again, with the Answer, and Ordered, That *Isaac Royall*, Esq; with such as the honorable House shall join, be a Committee to take the Petition into Consideration, hear the Parties, and report.

Sent down for Concurrence.

Read and concur'd, and *Col. Williams* of *Roxbury*, and *Mr. Wood* of *Boxford*, are join'd.

## Post-Meridiem.

Upon a Motion, Ordered, That *Brigadier Ruggles* and *Col. Noyes*, with such as the honorable Board shall join, be a Committee to consider the Petition of *Joseph Butler*, and report.

Committee on Petition of *Jos. Butler, &c.*

A Petition of the Inhabitants of *Winchendon*, enter'd July 14, 1769.

Read and committed to *Mr. Remington*, *Mr. Wood* of *Boxford*, and *Capt. Read*, to consider the same, and report.

Petition of Inhabitants of *Winchendon*.

The Committee on the Petition of the Inhabitants of *Cape Elizabeth*, reported.

Read and accepted, and Resolved, That from the Time the Act of Incorporation of *Cape Elizabeth* into a District took Place, all the Inhabitants in said District included within the Lines of said District, were and still are held to pay Parish Taxes there, and to no other Purpose.

Report on Petition of Inhabitants of *Cape Elizabeth*.

Sent up for Concurrence.

Upon a Motion, Ordered, That the Secretary be directed to lay on the Table the Petition of the Inhabitants of *Ashburnham*.

The Secretary brought down the Petition of *Ashburnham*, and laid it on the Table.

Secretary directed.

Then the House adjourn'd 'till To-Morrow Morning Ten o'Clock.

JOVIS, 29 Die Martii, A. D. 1770.

UPON a Motion, Ordered, That the Petition of *Daniel Druce* be reviv'd, and committed to *Mr. Hearsey*, *Major Davis* and *Capt. Bradford*, to consider and report.

Petition of *Daniel Druce* revived.

A Petition of *George Fechem*, praying that the Court of General Sessions of the Peace for the County of *Middlesex*, may be empower'd, if they see Cause, to grant him a Licence to retail Spirituous Liquor, for Reasons mention'd.

Petitions of *G. Fechem & Thos. Waldo*.

And a Petition of *Thomas Waldo*, praying that the said Justices may be empower'd to grant him a Licence for the same Purpose.

The said Petitions were severally read, and the Petitioners had Leave to withdraw their Petitions.

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The

Report on  
Laws expired,  
or near expiring

The Committee appointed to report to the House the Laws expired or near expiring, reported accordingly.

*Ordered*, That the said Committee bring in a Bill for the revival or continuing such Laws as are expir'd or near expiring, and lay it on the Table.

Report of a  
Letter to Denny  
DeBerdt, Esq;

The Committee appointed to consider of Grievances, reported a Draft of a Letter to *Denny DeBerdt, Esq;* containing an Account of the horrid Massacre in the Town of *Boston* on the Evening of Monday the 5th Instant.

Read in Paragraphs, and compar'd with Evidence laid before the House. Accepted and *Ordered*, That a fair Copy be forthwith taken to be sign'd by the Speaker in the Name of the House, and transmitted to Mr. *DeBerdt* as soon as may be.

### *Post-Meridiem.*

Bill read.

A Bill to *impower the Inhabitants of the Town of Newbury-Port, belonging to the several religious Societies within the same, to raise Money for defraying ministerial and other necessary Charges.*

Read a third Time, and pass'd to be engross'd.

Report on  
Petition of  
Benj. Leigh and  
John Almand.

The Committee on the Petition of *Benjamin Leigh and John Almand*, reported.

Read and accepted, and *Resolved*, That the Sum of *Two Hundred Pounds* be paid to the Petitioners out of the Province Treasury, they giving good and undoubted Security for the Payment of the same without Interest into said Treasury in two Years.

Sent up for Concurrence.

The Committee appointed to consider the Expedience or Necessity of adding to the Times of holding the several Courts, reported.

Read and accepted, and *Ordered*, That said Committee bring in a Resolve accordingly.

Petition of  
John Brown.

A Petition of Capt. *John Brown*, of *Leicester*, praying that this Court would order the Rehearing of an Action mentioned in his Petition.

Read and committed to Mr. *Danielson*, Col. *Bowers* and Col. *Prescot*.

Petition of  
Wm. Mollineux.

A Petition of *William Mollineux*, praying for the Assistance of this Court, to enable him to carry on certain Manufactures mention'd in his Petition.

Read and committed to Capt. *Sheaffe*, Col. *Otis*, Mr. *Fisher*, Mr. *Durfee*, Col. *Bowers*, Major *Gallison* and Dr. *Wheaton*, to consider the same and report.

Petition of  
E. & J. Brown.

A Petition of *Elisha Brown* and *John Brown*, praying for a Lease of the Manufactory-House in *Boston*, for the Purposes mention'd in the Petition.

Read and committed to the Committee appointed to consider the Petition of *William Mollineux*.

Petition of  
Ruth Carr.

A Petition of *Ruth Carr*, praying to be impowered to make Sale of certain Lands mentioned in the Petition.

Read and *Ordered*, That the Committee for the Sale of Lands consider this Petition, and report.



A Message to both Houses, from His Honor the Lieutenant-Governor, by the Deputy Secretary.

Gentlemen of the Council, and House of Representatives,

**T**HE Secretary will lay before you a Letter from the Governor of Canada, to the Governor of this Province, upon the Subject of opening a Road between Quebec and the Eastern Parts of this Province. Since the Receipt of this Letter, I have had Opportunity of discoursing with two very sensible Men of an Indian Tribe near Quebec, who travelled from thence to Fort Halifax, and gave me such an Account of the Country as convinced me that the Expence of opening a Road from the Chaudiere to Kennebec, will bear no Proportion to the Advantages which this Province, especially the Eastern Parts, as well as the Province of Canada, will receive from it.

Message from  
His Honor.

I therefore recommend this Affair to your Consideration: Without the Aid of the General Court, I see no Prospect of its being effected, as it must be attended with Expence, but I dare say no more than a reasonable Proportion of the Charge will be expected from you.

Council-Chamber,  
Cambridge,

**T. Hutchinson.**

March 29, 1770.

Read and Ordered, That this Message be considered To-Morrow at Eleven o'Clock.

A Petition of *Oliver Prescott*, praying to be impowered to sell certain Lands mentioned therein.

Petition of  
*Oliver Prescott.*

Read and committed to the Committee for the Sale of Lands.

A Petition of *Joseph Doan*, in Behalf of the Town of *Chatham*, setting forth the great Expence said Town was put to by Reason of the SmallPox in the Years 1765 and 1766, and praying the Consideration of this Court.

Petition of  
*Joseph Doan.*

Read and committed to Dr. *Holton*, Mr. *Hancock* and Mr. *Hearsey*.

A Petition of *Jeremiah Fisher*, praying that this Court would give Order for the rectifying a Mistake in the Appraisement of Land mention'd in the Petition, whereof Seizen was deliver'd to one *Ebenezer Cowel*, by Virtue of a Judgment of the Inferior Court of Common Pleas for the County of *Suffolk*, October 1766.

Petition of  
*Jere. Fisher.*

Read and Ordered, That the Petitioner notify the adverse Party, or his Attorney, by serving him with a Copy thereof, to shew Cause on the second Thursday of the next Session of the General Court, why the Prayer should not be granted.

Sent up for Concurrence.

A Petition of a Number of the Inhabitants of *Sandwich*, brought down from the honorable Board.

Petition of  
Inhabitants of  
*Sandwich.*

Pas'd in Council, viz. In Council, March 29, 1770.

Read again, together with the Answer, and Ordered, That *Gamael Bradford*, Esq; with such as the honorable House shall join, be a Committee to take the same into Consideration, and report.

Sent down for Concurrence.

Read and concur'd, and Mr. *Spooner* and Major *Humphrey* are joined.

Sent up.

Upon

Petition of  
*J. Worthington*,  
Esq; revived.

Upon a Motion, *Ordered*, That the Petition of *John Worthington*, Esq; in Behalf of *Samuel Hitchcock*, and others, be reviv'd.

Read again, and committed to Capt. *Sheaffe*, Mr. *Bancroft*, Major *Day*, Mr. *Mitchel*, and Mr. *White*, who are instructed to consider the Accounts of the Committee formerly appointed, to view the Land mention'd in the Petition—To whom also is committed a Petition of *Samuel Heyden*.

Petition of  
*Hugh Orr*.

A Petition of *Hugh Orr*, praying to be impowered to make Sale of Land mention'd in the Petition.

Read and committed to the Committee for the Sale of Lands.

Petition of  
Selectmen, &c.  
of *York*.

A Petition of the Selectmen and Overseers of the Town of *York*, praying for Liberty to sell certain Lands mention'd in the Petition.

Read and committed to the Committee for the Sale of Lands.

Petition of  
*Sarah Ballard*.

A Petition of *Sarah Ballard*, praying that she may be impower'd as Administratrix on the Estate of her late Husband *Timothy Ballard*, by a good and lawful Deed, to reconvey certain Lands to *Philemon Chandler*, for Reasons mention'd.

Read and *Ordered*, That Col. *Buckminster*, Mr. *Phillips*, and Capt. *Denny*, consider the Petition and report.

Then the House adjourn'd 'till To-morrow Morning, Nine o'Clock.

VENERIS 30 *Die Martii*, A. D. 1770.

Petition of  
*Stephen Davis*.

\*\*\* Petition of *Stephen Davis*, praying for Liberty to sell certain Lands mention'd.

\*\*\* Read and committed to the Committee for the Sale of Lands.

Petition of  
*Japh. Bicknal*  
bro't down.

A Petition of *Japheth Bicknal*, bro't down from the honorable Board. Pass'd in Council, viz. In Council, *March 28, 1770*.

Read again, with the Answer, and *Ordered*, That *William Sever*, Esq; with such as the honorable House shall join, be a Committee to take the Petition under Consideration, hear the Parties, and report.

Sent down for Concurrence.

Read and concur'd, and Mr. *Hancock*, and Mr. *Durfee* are joined.

Petition of  
*Pearson Eaton*.

A Petition of *Pearson Eaton*, and others, praying that they may be allowed for their Attendance as Witnesses on his Majesty's Behalf, at the Superior Court of Judicature, &c. held in the County of *Middlesex* in 1766.

Read and committed to Mr. *Gardner* of *Stow*, Mr. *Prescot* and Major *Hawley*.

Report on  
Petition of  
Capt. *J. Brown*

The Committee on the Petition of Capt. *John Brown*, reported.

Read and accepted, and *Ordered*, That the Petitioner notify the adverse Party, by serving him with a Copy of this Petition, to shew Cause on the second Wednesday of the next Session of this Court, why the Prayer should not be granted.

Sent up for Concurrence.

Upon a Motion, *Ordered*, That the Petition of *Thomas Rice* be revived.

Read



Read and committed to Mr. *Gardner of Stow*, Mr. *Durfee* and Capt. *Mellen*, to consider thereon, and report.

A Petition of *Henry Abbot*, and others, praying to be impowered to make Sale of certain Lands therein mentioned. Petition of  
*Henry Abbot*.

Read and *Ordered*, That the Committee for the Sale of Lands consider this Petition and report.

A Petition of *Hepzibah Nicholls*, praying for Liberty to sell Lands. Petition of  
*Hep. Nicholls*.

Read and committed to the Committee for the Sale of Lands.

A Petition of the Overseers and Selectmen of *Medway*, praying that their Expences in supporting one *John Williams*, a Pauper, may be allowed ; and that Provision may be made for the Removal of the said Pauper, to his native Place. Petition of  
Overseers, &c.  
of *Medway*.

Read and committed to Col. *Williams of Hatfield*, Mr. *Leonard*, and Mr. *Hancock*—The Committee instructed to inquire into the Laws of the neighbouring Governments relating to Vagrants, and bring in a similar Bill.

A Petition of *Abijah Ingals*, praying for Liberty to sell Land. Petition of  
*Abijah Ingals*.

Read and committed to the Committee for the Sale of Lands.

A Petition of *Richard Gridley*, praying to be impowered to make Sale of certain Real Estates therein mentioned.

Read and *Ordered*, That the Committee for the Sale of Lands consider this Petition, and report.

According to the Order of Day, the House proceed to the Choice of Civil Officers.

Upon a Motion, *Ordered*, That Mr. *Hancock* go up to the honorable Board, and acquaint them that the House is ready according to the Order of the Day to proceed to the Choice of Civil Officers, and propose to begin with the Choice of a Treasurer. Messages to &  
from the Board.

Who returned that he had deliver'd the Message.

*James Pitts*, Esq; came down from the honorable Board to acquaint the House that the Board was also ready to proceed to the Choice of Civil Officers, and agreed to begin with that of a Treasurer.

Upon a Motion made, *Resolved*, That no Person who shall be chosen by this Court into the Office of Treasurer and Receiver-General for this Province for the present Year, shall be esteemed duly qualified to enter upon the Execution of that Office, untill he shall first have an Oath administred to him for his faithful Performance of the Trust of his said Office ; and shall give Bond with sufficient Sureties, to the Acceptance of a Committee to be appointed by this Court for that Purpose, in the Sum of *Thirty Thousand Pounds* Lawful Money, to the three eldest Counsellors in this Province, for the Time being, who are hereby appointed a Committee in-Behalf of the Province, and especially authorized for this Purpose : Which Bond shall be conditioned for such Treasurer duly and faithfully discharging the Duty of his Office, according to Law ;

F f

and

Resolve respecting a Treasurer.



and for his rendering an Account, when and so often as he shall be required by the General Court, of all and any such Sum or Sums of Money as he shall from Time to Time receive into the Treasury, and for his well and truly paying to his Successor in said Office, or to any other Person that may be appointed by the General Court to receive the same, all such Sum or Sums of Money as upon such Settlement of his said Accounts, or otherwise, shall be found due and payable from him to the Province. *Provided* that the said Bond be put in suit within three Years next after the Date hereof, otherwise to be void and of no Effect. And that Mr. *Hancock* and Capt. *Sheaffe*, with such as the honorable Board shall join, be a Committee to judge of the Sufficiency of such as may offer to become Sureties for the Treasurer as aforesaid. Sent up for Concurrence.

Committee to count and sort Votes. Upon a Motion, *Ordered*, That Mr. *Hall*, Capt. *Sheaffe* and Col. *Murray*, be a Committee to sort and count the Votes of this House for Civil Officers, and carry the same up to the honorable Board.

Treasurer chosen. Then the House proceeded to bring in their Votes for a Treasurer and Receiver-General for the Province, and the said Committee after counting the same, carried them up to the honorable Board, and reported that the honorable *Harrison Gray*, Esq; was chosen by a great Majority.

Commissary General. The said Committee carried up the Votes for an Officer for purchasing Provisions, &c. for the several Forts and Garrisons, and reported that the honorable *Thomas Cushing*, Esq; was chosen.

Impost Officer. The said Committee carried up the Votes for an Impost-Officer, and reported that the honorable *James Russell*, Esq; was chosen unanimously.

Truckmaster for Fort Powmal. The said Committee carried up the Votes for a Truck-Master, and reported that Mr. *John Prebble* was chosen.

Notaries Publick. The said Committee carried up the Votes for two Notaries Publick for the Port of *Boston*, and reported that Mr. *Dudsen Kilcup* and Mr. *Henry Alline*, Jun. were chosen.

The said Committee carried up the Votes for five Notaries Publick for the County of *Essex*, and reported that *John Nutting*, *William Atkins*, *Daniel Witham*, Esqrs; and Mr. *Samuel Sawyer* and Mr. *Thomas King*, were chosen.

The said Committee carried up the Votes for a Notary Publick for the County of *Middlesex*, and reported that Mr. *Nathaniel Gorham* was chosen.

## Post-Meridiem.

Petition of Elk. Andrews.

A Petition of *Elkanah Andrews*, in Behalf of a Number of Inhabitants of *Dighton*, setting forth that they are unreasonably burthened with sundry Taxes for the Payment of Parish Charges, and praying for Relief.

Read and committed to Mr. *Greenleaf*, Mr. *Gardner* of *Stow*, and Mr. *Merril*.

Report on Petition of Sarah Ballard.

The Committee on the Petition of *Sarah Ballard*, reported.

Read and accepted, and *Resolved*, That *Sarah Ballard*, Administratrix on the Estate of her late Husband *Timothy Ballard*, late of *Andover*,

*Andover*, decess'd, be and hereby is impower'd in her said Capacity, together with *William Chandler* of said *Andover*, by a good and lawful Deed to *Philemon Chandler*, to convey the Lands mention'd in her Petition.

Sent up for Concurrence.

An engros'd Bill to impower the Inhabitants of the Town of *Newbury-Port* belonging to the several religious Societies within the same, to raise Money for defraying ministerial & other necessary Charges.

Bill engros'd.

Read and Ordered, That Mr. *Hancock* go up to the honorable Board, to propose a Clause of Limitation in said Bill.

Who returned that he had delivered the Message.

The said Bill was brought down from the honorable Board with the Clause insert'd, and then it pass'd to be Enacted.

The House being now full, proceeded to the further Choice of Civil Officers.

The Committee appointed, carried up the Votes for a Notary-Public for the Port of *Plymouth*, and reported that Mr. *Ephraim Spooner* was chosen.

Notaries Publick.

The said Committee carried up the Votes for two Notaries Public for the Port of *Barrstable*, and reported that *Solomon Otis*, Esq; and Mr. *Joseph Parker* were chosen.

The said Committee carried up the Votes for two Notaries Public for the Ports of *Freetown* and *Dartmouth*, and reported that *Jerathmeel Bowers* and *Elisha Tobey*, Esqrs; were chosen.

The said Committee carried up the Votes for three Notaries Public, for *Kittery*, *York* and *Wells*, and reported that *Charles Chauncy*, *Daniel Moulton* and *John Wheelwright*, Esqrs; were chosen.

The said Committee carried up the Votes for a Notary Public for the Port of *Falmouth*, and reported that Mr. *Jonathan Webb* was chosen.

The said Committee carried up the Votes for a Notary Public for the County of *Lincoln*, and reported that Mr. *Thomas Moulton* was chosen.

The said Committee carried up the Votes for a Notary Public for the Port of *Edgartown*, and reported that Mr. *John Peirce*, jun. was chosen.

The said Committee carried up the Votes for a Notary Public for the Port of *Nantucket*, and reported that *Stephen Hussey*, Esq; was chosen.

A Petition of *Sarah Chipman*, praying for Liberty to sell certain Lands.

Petition of *Sarah Chipman*.

Read and Ordered, That the Committee for the Sale of Lands consider the same and report.

The Committee on the Petition of the Inhabitants of *Winchendon*, reported.

Report on Petitions of Inhabitants of *Winchendon*.

Read and Ordered, That the Petitioners have Leave to bring in a Bill to raise the four-penny Tax therein mentioned.

The Petition of *William Rice*.

Read again, and dismiss'd.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

*Sabbati*



SABBATI 31 *Die Martii*, A. D. 1770.

\*\*\*PON a Motion, *Ordered*, That Major *Foster*, Mr. *Wood* of  
 \*\*\**Ux* *Boxford*, and Mr. *Durfee*, be added to the Committee ap-  
 \*\*\*pointed to consider Petitions for the Sale of Lands.

Petition of  
*James Gray.*

A Petition of *James Gray*, setting forth that a Mistake was made to his Prejudice, in recording a Judgment of the Superior Court of Judicature, held at *York* in *July 1765*, and praying that this Court would afford him Remedy therein.

Read and committed to Col. *Ward*, Col. *Otis*, and Brigadier *Ruggles*.

Report on  
 Petition of  
*Hugh Johnson.*

The Committee on the Petition of *Hugh Johnson*, reported.

Read and accepted, and the Petitioner had Leave to bring in a Bill for the Purposes of the Petition.

Report on  
 Petition of  
*Lisborn Proprietors.*

The Committee on the Petition of the *Lisborn Proprietors*, reported.

Read and accepted, and *Ordered*, That the Petitioners have Leave to bring in a Bill for the Purposes of the Petition.

Report on  
 Petition of  
*Elk. Andrews,*  
*&c.*

The Committee on the Petition of *Elkanah Andrews*, and others, of the Town of *Dighton*, reported.

Read and accepted, and *Resolved*, That the Constables in said Town to whom the Taxes are committed to collect, for the Payment of Mr. *John Staple*, who preaches for a Part of said Town, and also for the Charges of a Meeting-House lately built there, be and hereby are ordered not to collect the same from the Petitioners untill the further Order of this Court, so that the Petitioners may be heard on their said Petition, and no Distress to be made on the said Petitioners in the mean Time.

Petition of  
*Deb. David, &c.*

A Petition of *Deborah David*, and *Patience David*, Indians, praying for Liberty to sell Part of their Land under the Direction of their Guardians, for Reasons mention'd.

Read and committed to Major *Prescot*, Capt. *Dix* and Brigadier *Prebble*.

Petition of  
*Mary Gleason.*

A Petition of *Mary Gleason*, praying to be empowered to sell certain Lands.

Read and committed to the Committee for the Sale of Lands.

Petition of  
*Art. Ward, Esq;*

A Petition of *Artemas Ward*, Esq; praying that a Law may be passed to impower Courts of General Sessions of the Peace to discontinue County Roads, and that further Proceedings respecting a Road laid out in the Town of *Shrewsbury*, may be stayed for Reasons mentioned.

Read and committed to Mr. *Otis*, Mr. *Gardner* of *Stow*, and Mr. *Billings*.

Petition of  
*H. Young Brown.*

A Petition of *Henry Young Brown*, praying that the Court of General Sessions of the Peace therein mentioned, may be impowered to grant him a Licence to retail Spiritous Liquors.

Read and committed to Capt. *Harwood*, Mr. *Lombard* and Col. *Gerrish*.

Petition of  
*Esther Soduck.*

A Petition of *Esther Soduck*, an Indian, praying that her Guardian may be impowered to purchase Land for her, for Reasons mentioned.



Read and committed to Mr. *Gardner* of *Stow*, Mr. *Kingsberry*, and Major *Bancroft*.—To whom was also committed a Petition of *John Barker*, an Indian, praying to be empowered to sell his Land.

A Petition of *Peter Bray* and *Mary Bray*, praying to be empowered to sell certain Lands.

Petition of  
*P. & M. Bray*

Read and committed to the Committee for the Sale of Lands.

Upon a Motion, *Ordered*, That the Secretary be directed to lay on the Table the Petition of the Town of *Chesterfield*.

Secretary directed.

The Secretary laid on the Table the *Chesterfield* Petition.

A Petition of *Edward Potter*, and others, praying that the Administrators on the Estate of *Philip Masters* may be empowered to give him a Deed of Land therein mentioned, for Reasons offered.

Petition of  
*Ed. Potter*.

Read and committed to Major *Hawley*, Mr. *Hancock*, and Mr. *Strong*.

A Petition of *Mary Pegon*, an Indian, praying for Power to sell her Land.

Petition of  
*Mary Pegon*.

Read, and ordered to lie on the Table.

The Committee on the Petition of the County of *Worcester*, reported, and desired Leave to sit again.

Report on  
Petition of  
County of  
*Worcester*.

Read and *Resolved*, That there be two Terms for holding the Superior Court of Judicature within the County of *Hampshire*, for the Counties of *Hampshire* and *Berkshire*, that is to say, one Term on the last Tuesday of *April* annually at *Springfield*, and another Term on the fourth Tuesday of *September* at *Northampton*. And also that there be two Terms for holding the same Court within the County of *Worcester*; one of the said Terms to be on the Tuesday next preceeding the last Tuesday of *April*, and the other of said Terms to be on the third Tuesday of *September*, untill the further Order of this Court. And that the same Court in the County of *York* be holden on the fourth Tuesday of *June*; and in the County of *Cumberland*, for the Counties of *Cumberland* and *Lincoln*, on Tuesday next following the fourth Tuesday of *June*. And that the Terms of said Court in other Counties be as by Law is already established: And that a Bill be brought in accordingly.

Sent up for Concurrence.

*Harrison Gray*, Esq; brought down the Petition of *Elkanah Andrews*. Pass'd in Council, viz. In Council, *March 30*, 1770.

Petition of  
*Elk. Andrews*  
bro't down.

Read and concurred with Amendment.

Sent down for Concurrence. Read and concur'd. Sent up.

A Petition of *Stephen Atwood* and *Bethia* his Wife, praying to be empowered to sell certain Lands therein mention'd.

Petition of  
*S. Atwood, &c*

Read and committed to the Committee for the Sale of Lands.

The Committee on the Petition of the East Part of *Harwich*, reported.

Report on  
Petition of  
the East Part of  
*Harwich*.

Read and accepted, and *Ordered*, That the Petitioners serve the Town of *Eastham* with a Copy of this Petition, by leaving the same with the Clerk of said Town, to shew Cause, if any be, on the second Wednesday of the next *May* Session, why the Prayer thereof should not be granted.

Sent up for Concurrence.

G g

Upon

Petition of  
Inhabitants of  
Chesterfield  
reviv'd.

Upon a Motion, *Ordered*, That the Petition of the Inhabitants of the Town of *Chesterfield*, enter'd *June 6, 1768*, be reviv'd.

Read again, together with a Petition of that Part of the Propriety of *Narraganset* No. 4, called the *Gore*, praying that the Prayer of *Chesterfield* Petition may not be granted, and

*Ordered*, That *Col. Murray*, *Mr. Harwood*, *Col. Gerrish*, *Mr. Hall* and *Mr. Durfee*, consider these Petitions and report.

Report on  
Petition of  
*Eliz. Johnson*.

The Committee on the Petition of *Elizabeth Johnson*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make Sale of the whole of the Real Estate mention'd in the Petition, for the most it will fetch, and make and execute a good Deed or Deeds thereof, she observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Worcester*, that the Proceeds of the Sale be apply'd for the Payment of the just Debts of the Deceased, and the Overplus secured for the Heirs of said Deceased agreeable to his last Will and Testament.

Sent up for Concurrence.

*James Pitts*, Esq; bro't down the Petition of *Elizabeth Johnson*.

Pass'd in Council, viz. In Council, *March 31, 1770*.

Read and concur'd with the Amendment.

Sent down for Concurrence.

Report on  
Petition of  
*Robert Ball*.

The Committee on the Petition of *Robert Ball*, reported.

Read, and accepted, and *Resolved*, That the Prayer be granted, and that the Sum of *Sixty Pounds* be allowed and paid out of the public Treasury to *Robert Ball*, for his Service as Keeper of the Light-House, for one Year, ending the 19th of *November* last: Also the Sum of *Sixteen Pounds* for Thirty Cords of Wood, which he provided and expended at said Light-House.

Sent up for Concurrence.

Report on  
Petition of  
*D. Foot, &c.*

The Committee on the Petition of *Daniel Foot*, and others, reported.

Read and *Ordered*, That the Petitioners have Leave to bring in a Bill accordingly.

Upon a Motion, *Ordered*, That *Mr. Rawson* be of the Committee on the Petition of the Inhabitants of *Medway*, in the Room of *Mr. Leonard*, who is absent.

Secretary di-  
rected.

Upon a Motion, *Ordered*, That the Secretary be directed to lay on the Table the Laws of the neighbouring Governments now on File in this Court.

Petition of  
*Seth Metcalf*  
bro't down.

A Petition of *Seth Metcalf*, bro't down from the honorable Board.

Pass'd in Council, viz. In Council *March 30, 1770*.

Read again, together with the Answer, and *Ordered*, That *Benjamin Lincoln*, Esq; with such as the honorable House shall join, be a Committee to consider the Petition, hear the Parties, and report.

Sent down for Concurrence.

Read and concur'd, and *Col. Otis* and *Col. Williams* of *Roxbury*, are joined.

Sent up.

Then the House adjourn'd 'till Monday next, Three o'Clock, P. M.



# V O T E S

Of the Honorable House of Representatives.

LUNÆ 2 Die Aprilis, A. D. 1770.



Petition of *Charles Godrich*, and others, of *Pittsfield*, praying that a Tax may be laid on the Non-Resident Proprietors.

Petition of  
*C. Godrich, &c.*

Read, and the Petitioners had Leave to withdraw their Petition.

The Petition of *John Dunn*,

Petition of  
*John Dunn.*

Read again, and Ordered, That the Petitioner notify *John Scollay*, Esq; and *Thomas Fletcher*, of this Petition, by serving each of them with a Copy thereof, to shew Cause on Thursday the 12th Instant, why the Prayer should not be granted.

Sent up for Concurrence.

A Petition of *Elias Willard*, and others, living on Lands called the Ministers Grant, near the District of *Lenox*, praying that they and their Lands may be annexed to said District of *Lenox*.

Petition of  
*Elias Willard.*

Read and Ordered, That the Petitioners notify the District of *Lenox*, and each of the Non-Petitioners who are Proprietors of said Ministers Grant, by serving the Clerk of said District, and said Non-Petitioners, with a Copy of the Petition, to shew Cause on the third Tuesday of the next *May* Session, why the Prayer should not be granted.

Sent up for Concurrence.

A Petition of *Jacob Fox*, praying to be impowered to sell certain Lands.

Petition of  
*Jacob Fox.*

Read and committed to the Committee for the Sale of Lands.

A Petition of *Timothy Farley*, praying for the Grant of a Gore of Land belonging to the Province, between *Colerain*, *Charlemount* and *Shelburne*, for a Consideration mention'd.

Petition of  
*Timothy Farley.*

Read and committed to Mr. *Merril*, Capt. *Denny* and Capt. *Brown*.

A Bill for confirming the Records and Proceedings of the new Plantation called *Hartwood*.

Bill read.

Read the first Time.

Ordered, That this Bill be read again To-morrow Eleven o'Clock.

A



Petition of  
*James Lock*.  
bro't down.

A Petition of *James Lock*, brought down from the honorable Board. Pass'd in Council, viz. In Council, *March 31, 1770.*

Read and Ordered, That the Non-resident Proprietors be notified, by inserting the Substance of this Petition in two of the *Boston News-Papers*, three Weeks successively, that they may shew Cause, on the second Wednesday of the next Sitting of the General Court, why the Prayer should not be granted. And the Petitioner is directed at the same Time to lay before the Court an Account of the Number of Acres of unimproved Lands in the Town of *Ashby* belonging to the Non-resident Proprietors thereof.

Sent down for Concurrence.

Read and concur'd.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MARTIS, 3 Die Aprilis, A. D. 1770.

Petition of  
*Samuel Read*.

\*\*\* Petition of *Samuel Read* of *Uxbridge*, praying that two  
\*\*\* A Justice of the Peace, *Quorum Unus*, may be impowered  
\*\*\* to grant him a Licence as an Innholder in a certain House  
in said Town, mention'd in the Petition.

Read and Ordered, That the Prayer be granted, and that a Resolve be brought in for the Purpose.

Petition of  
*Sam. Leonard*.

A Petition of *Samuel Leonard* of *Springfield*, praying that two Justices of the Peace, *Quorum Unus*, may be impowered to grant him the Licence of an Innholder in said Town, for Reasons mention'd.

Read and Ordered, That the Prayer be granted.

Petition of  
*Samuel Brown*.

A Petition of *Samuel Brown* of *Stockbridge*, praying for a Grant of a Tract of unappropriated Province Land mention'd in the Petition.

Read and Ordered, That Capt. *Denny*, Major *Day* and Brigadier *Treble*, consider the Petition and report.

Petition of  
*Mat. Ketchum*.

A Petition of *Matthew Ketchum*, and others, praying for a Grant of certain unappropriated Province Lands mentioned and described in their Petition.

Read and committed to Capt. *Denny*, Major *Day*, and Brigadier *Ruggles*.

Petition of  
*Robert Cutler*.

A Petition of *Robert Cutler*, Clerk, praying that this Court would pass an Order for the completing the Collection of a Tax on the Non-Resident Proprietors of *Greenwich*, for the Reasons mentioned.

Read and committed to Mr. *Hobson*, Capt. *Fuller* and Capt. *Brown*.

Upon a Motion, Ordered, That the Consideration of his Honor's Message of the 29th of *March*, be further referr'd to this Afternoon Three o'Clock.

Report on  
Petition of  
*Ar. Ward, Esq;*

The Committee on the Petition of *Artemas Ward, Esq;* reported. Read and accepted, and Resolved, That the Petitioner have Leave to bring in a Bill for the Purposes of the Petition; and that all Proceedings

Proceedings relating to the Road and High-Way mention'd in the Petition, be stay'd in the mean Time.

Sent up for Concurrence.

The Committee on the Petition of *Benjamin Hammet*, and others, reported. Report on  
Petition of  
*Benj. Hammet*.

Read and *Ordered*, That the Petitioners have Leave to bring in a Bill for the Purposes of their Petition.

The Committee on the Petition of *Elizabeth Graves*, and others, reported. Report on  
Petition of  
*Eliz. Graves*.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioners in their said Capacity be and hereby are empowered to make Sale of the whole of the Estate mention'd, and make and execute a good Deed or Deeds thereof; observing the Rules of the Law respecting the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Worcester*, that the Proceeds be apply'd as follows, viz. the Interest of one Third to be annually allow'd to the said *Judith*, for her Dower during her natural Life, and so much of the remaining two Thirds as is necessary be apply'd for the Payment of the Debts mention'd in the Petition, and what shall then remain to be paid to the Children of said Deceased, their Guardians or legal Representatives; & at the Expiration of the natural Life of the said *Judith*, the other Third to be paid to the afore-said Heirs or their legal Representatives according to Law.

Sent up for Concurrence.

The Committee on the Petition of *Phineas Haywood*, reported. Report on  
Petition of  
*Phi. Haywood*.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner in said Capacity be and hereby is empowered to make Sale of the Estate mentioned, observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Worcester*, that the Proceeds be apply'd as follows, viz. the Interest arising upon one Third Part thereof to be annually paid to the Widow of said Deceased, for her Dower during her natural Life, and the remaining two Thirds to be paid to the Guardians of the Children of the Deceased, to be by them put out for the Benefit of the Heirs, and at the Expiration of the natural Life of the said Widow, her Third to be divided among the Heirs of the said Deceased, or their legal Representatives according to Law.

Sent up for Concurrence.

The Committee on the Petition of *Hepzibah Nicholls*, reported. Report on  
Petition of  
*Hepz. Nicholls*.

Read and accepted, and *Resolved*, That the Petitioner in her said Capacity, be and she hereby is empowered to make Sale of the Tract of Land mentioned in her Petition, and execute a good Deed thereof, giving Security to the Judge of Probate for the County of *Middlesex*, to apply the Proceeds for the Payment of the Debts mentioned; and the Overplus to be by her accounted for according to Law.

Sent up for Concurrence.

The Order of Council on the Petition of *Elizabeth Johnson*.

Read and concur'd.



Report on  
Memorial of  
Overseers of  
Harvard College

The Committee to consider a Memorial of the Overseers of Harvard-College, reported.

Read and accepted, and *Resolved*, That the Sum of *One Hundred and thirty-three Pounds six Shillings and eight Pence*, be and hereby is granted to the Society in *Sherburne*, late under the Pastoral Care of the Rev. Mr. *Samuel Lock*, now President of Harvard-College, to encourage and facilitate the Settlement of a Minister there: The said Sum to be allowed and paid out of the public Treasury to the Order of the said Society, for the End beforementioned, upon the Ordination of Mr. *Lock's* Successor. Sent up for Concurrence.

Petition of  
*Sylv. Gardiner*.

A Petition of *Sylvester Gardiner*, Esq; praying for a Re-hearing of a Cause between him and *James Flagg*, as mentioned in the Petition.

Read, and Ordered to lie till the Afternoon.

### *Post-Meridiem.*

The House took into Consideration the Petition of *Sylvester Gardiner*, Esq; and after Debate thereon,  
Ordered, That the Petition be dismiss'd.

Bills read.

A Bill in further Addition to an Act for making Lands and Tenements liable to the Payment of Debts.

Read twice, and Ordered, That the Bill have a third Reading To-morrow at Ten o'Clock.

A Bill to confirm the Records and Proceedings of a new Plantation called Hartwood.

Read the second Time, and committed to Mr. *Strong* and Major *Hawley* for Amendment.

Petition of  
*E. Jones*, Esq;

A Petition of *Elisha Jones*, Esq; and others, praying that the Inhabitants of *East Hoosuck* and their Lands may be incorporated into a Township.

Read and Ordered, That the Petitioners have Leave to bring in a Bill.

Secretary directed.

Upon a Motion, Ordered, That the Secretary lay on the Table the Petition of the Inhabitants of a Place called *Machias*—And the Deputy Secretary bro't the same and laid it on the Table.

Upon a Motion, Ordered, That Col. *Williams* of *Roxbury*, Capt. *Mosely*, and Mr. *Summer*, be of the Committee on the Petition of *William Mollineux*, in the Room of Col. *Bowers*, Major *Gallison*, and Dr. *Wheaton*, who are absent.

Petition of  
*Joseph Butler*.

The Petition of *Joseph Butler*, brought down from the Council Board, with the Report of a Committee of both Houses thereon.

Signed, *Samuel Dexter*, per Order.

Pas'd in Council, viz. In Council March 31, 1770.

Read and sent down.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the said *Joseph Butler* be liberated accordingly, he paying Prison Fees, provided he stands committed on no other Suit or other Cause than that mentioned in the Petition; and that the Town of *Framingham* be re-assessed the Sum of *One Hundred and nine Pounds six Shillings and one Penny*, by having half of that Sum added to their



their Proportion of the next Year's Province Tax, and the other Half to their Proportion of the Province Tax the next Year afterwards. *Provided also*, that this shall not be construed to preclude the said Town of *Framingham* from any Action or Suit against the said *Joseph Butler*, for the whole of such Sums as may be assessed on said Town thro' his Default, and for any other Damages accruing to the said Town thereby. Sent up for Concurrence.

Upon a Motion, *Ordered*, That Mr. *Pickering* be of the Committee on the *Chesterfield* Petition, in the Room of Mr. *Durfee* absent.

Upon a Motion, *Ordered*, That the Petition of the Inhabitants of a Place called *Machias*, be revived. Petition of Inhabitants of *Machias*.

Read and committed to Mr. *Hancock*, Mr. *Hearsey* and Brigadier *Prebble*.

The Committee on the Petition of *Ebenezer Smith*, and others, reported. Report on Petition of *Eben. Smith*.

Read and accepted, and *Resolved*, That the Petitioners notify the Proprietors of the Lands of *Ashfield*, by serving the Clerk of said Propriety with a Copy of their Petition, that they appear on the second Wednesday of the next Sitting of the Court, to shew Cause why the Prayer thereof should not be granted; and in the mean Time the Sale of the Petitioners Lands be stayed.

Sent up for Concurrence.

Upon a Motion, *Ordered*, That Mr. *Stickney* be of the Committee on the Petition of *Deborah David* and *Patience David*, in the Room of Capt. *Dix* who is absent.

The Committee on the Petition of *Timothy Farley*, reported.

Read and accepted, and *Resolved*, That the Prayer be so far granted, that the Land delineated and described in the Survey and Plan returned, containing One Hundred Acres, lying between the District of *Shelburne* and *Charlemont*, be granted and confirmed to the said *Timothy Farley* and his Heirs forever, on Condition that the said *Timothy* shall pay, or Cause to be paid into the Province Treasury, the Sum of *Twenty Pounds* within two Years from the Date hereof, for the Use of the Province. Sent up for Concurrence. Report on Petition of *Tim. Farley*.

A Bill in Addition to the Laws of this Province relating to public Roads. Bill read.

Read the first Time, and *Ordered*, That the Bill be read again To-morrow at Ten o'Clock.

Then the House adjourn'd 'till To-Morrow Morning Ten o'Clock.

MERCURI, 4 Die Aprilis, A. D. 1770.

\*\*\* Petition of *Daniel Pierce*, praying for a Grant of unappropriated Lands, mentioned in the Petition.

\*\*\* Read and committed to Capt. *Denny*, Major *Day*, and Brigadier *Prebble*.

Reconsidered, and *Ordered*, That the Consideration of the Petition be referred 'till the next May Session. The

Report on  
Petition of  
S. Brown, and  
M. Ketchum.

The Committee on the Petition of *Samuel Brown*, and the Petition of *Matthew Ketchum*, and others, reported.

Read and *Ordered*, That the further Consideration of these Petitions be referred to the next *May* Session.

It was moved that a Committee be appointed to enquire what Lands remain unappropriated in the Counties of *Hampshire* and *Berkshire*, and the State of them, and report at the next *May* Session.

*Ordered*, That *Col. Williams* of *Hatfield*, *Major Hawley*, and *Capt. Goodrich*, bring in a Resolve for the Purpose of the Motion.

Petition of  
*James Dursey*.

A Petition of *James Dursey*, praying to be empowered to sell certain Land for Reasons mentioned.

Read and *Ordered*, That the Committee for the Sale of Lands consider this Petition and report.

Bills read.

A Bill to enable the *Assessors* of *Ashburnham* to collect Taxes laid on the Lands in said Town.

Read the first Time, and *Ordered*, That the Bill be read again at Eleven o'Clock.

A Bill for confirming the Records and Proceedings of a new Plantation called *Hartwood*.

Read the second and third Times, and pass'd to be Engros'd. |

Sent up for Concurrence.

A Bill to enable the *Assessors* of the Town of *Winchenden* to collect Taxes.

Read and re-committed for Amendment.

A Bill to enable the *Proprietors* of Land called the *Lisburn* Propriety, to raise Money, for making Recompence to sundry *Proprietors*.

Read the first Time, and *Ordered*, That the Bill be read again at Four o'Clock Afternoon.

A Bill to enable the *Assessors* of *Ashburnham* to collect Taxes, &c.

Read the second Time, and *Ordered*, That the Bill have a third Reading at Three o'Clock Afternoon.

Upon a Motion, *Ordered*, That *Col. Murray*, be of the Committee on the Petition of *John Worthington*, Esq; in the Room of *Capt. Mitchell*, who is absent.

A Bill to empower the *Justices* of the respective Courts of General Sessions, to discontinue public Roads.

Read and committed to *Major Hawley*, *Col. Ward*, and *Mr. Hall*, for Amendment.

Petition of  
*Seth Kingsbury*,  
bro't down.

*Samuel Dexter*, Esq; brought down the Petition of *Seth Kingsbury*. Pass'd in Council, viz. In Council, *April 4, 1770*.

Read, together with the Answer of *John Needham*, and *Ordered*, That *John Bradbury*, Esq; with such as the honorable House shall join, be a Committee to hear the Parties, and report what in their Opinion may be proper for this Court to do thereon.

Sent down for Concurrence.

Read and concurr'd, and *Capt Farley* and *Mr. Pickering* are joined.

Sent up for Concurrence.

*Samuel*



*Samuel Dexter*, Esq; brought down the Petition of the District of *Ware*. Pass'd in Council, viz. In Council *April 4, 1770.* Petition of District of *Ware* bro't down.  
 Read again, with the Answer, and Ordered, That this Petition be dismiss'd. Sent down for Concurrence.

*John Bradbury*, Esq; brought down the Petition of a Number of the Inhabitants of *Ashfield*. Petition of Inhabitants of *Ashfield* bro't down.

Pass'd in Council, viz. In Council, *April 4, 1770.*  
 Read and Ordered, That the Petition be dismiss'd.

Sent down for Concurrence.

The Committee on the Petition of *Ichabod Jones*, and others, Inhabitants of a Place called *Machias*, reported. Report on Petition of *Ich. Jones*, &c.

Read and accepted, and Resolved, That the Petition be so far granted as that there be and hereby is granted unto him the said *Ichabod Jones*, and his Associates named in the Petition, their Heirs and Assigns forever, as Tenants in Common, one Township of Land situate lying and being to the Westward of *St. Croix*, above eight or ten Leagues, which Tract of Land is now known by the Name of *Machias*, and is bounded as follows, viz. beginning at Dry Rock at a Place called the *Eastern Bay*, near the House of Mr. *Samuel Holmes*, and extending North ten Degrees West; ten Miles; then West, ten Degrees South, eight Miles; then South, ten Degrees East, ten Miles; then East, ten Degrees North, eight Miles to the first mention'd Bounds: That they return a Plan of the same, taken by a Surveyor and Chainman on Oath, to this Court, for further Confirmation, on or before the first Day of *June 1771*: That they within six Years after they shall obtain his Majesty's Approbation of this Grant (unless prevented by War) settle the said Township with eighty good Protestant Families, and build eighty Houses, none to be less than eighteen Feet Square and seven Feet Stud, and clear and cultivate five Acres of Land on each Share fit for Tillage or Mowing; and that they build a suitable Meeting-House for the Publick Worship of God, and settle a learned Protestant Minister, and make Provision for his comfortable and honorable Support: And that in said Township there be reserved and appropriated four whole Rights or Shares in the Division of the same (accounting one eighty fourth Part a Share) for the following Purposes, viz. One for the first settled or ordained Minister, his Heirs and Assigns forever; one for the Use of the Ministry; one to and for the Use of Harvard-College; and one for the Use of a School for ever: And if any of the Grantees or Proprietors of said Township shall neglect within the Term of six Years as aforesaid, to do and perform according to the several Articles respecting the Settlement of his Right or Share as hereby enjoin'd, his whole Right or Share shall be entirely forfeited and inure to the Use of this Province: Provided nevertheless the Grant of the above Land is to be void, unless the Grantees do obtain his Majesty's Confirmation of the same in eighteen Months from this Time.

And be it further Ordered, as a Condition of the Grant aforesaid, that each Grantee give Bond to the Treasurer of this Province for the Time being, and to his Successor in said Office, for the



Sum of *Fifty Pounds* for the Use of this Province, for the faithful Performance of the Duties required, according to the Tenor of the Grant aforesaid; and that a Committee or Committees be appointed by this Court to take Bonds accordingly.

And further *Ordered*, That the said Committees be empowered to admit others as Grantees in the Room of such Persons contain'd in the List aforesaid, as shall neglect to appear by themselves, or others in their Behalf, to give Bond at such Time as the Committee shall appoint.

And it is further *Ordered*, That as this Township is remote from the Center of the Province, and at a great Distance from his Majesty's Surveyor of Woods and Timber, that the said Petitioners take special Care not to cut or destroy any of his Majesty's Timber on or about said Township. Sent up for Concurrence.

Petition of  
*Jacob Bennet.*

A Petition of *Jacob Bennet*, praying that he may be empowered to reconvey a Tract of Land mention'd in the Petition.

Read and *Ordered*, That Brigadier *Ruggles*, Mr. *Gardner* of *Cambridge*, and Capt. *Thayer*, consider the Petition and Report.

Report on  
Petition of  
*Jacob Fox.*

The Committee on the Petition of *Jacob Fox*, reported.

Read and *Resolved*, That the Petitioner be and he hereby is empowered to make Sale of the aforementioned Land for the most it will fetch, and make and execute a good Deed or Deeds of the same, he observing the Law respecting the Sale of Real Estates by Executors and Administrators, and giving Bond to the Judge of Probate for the County of *Middlesex*, that the Proceeds of said Sale shall be apply'd to the Discharge of the just Debts of the said *James Evers*, and the Overplus (if any) be paid to the legal Heirs of the said *Evers*, or to their Guardians, for their Use.

Sent up for Concurrence.

Report on  
Petition of  
*Robert Cutler.*

The Committee on the Petition of *Robert Cutler*, reported.

Read and accepted, and *Ordered*, That the Petitioner have Leave to bring in a Bill for the Purpose of the Petition.

Bill read.

A Bill for making Land and Tenements liable to the Payment of Debts.

Read a third Time, and pass'd to be engross'd.

Petition of  
*Ezek. Brigham,*  
&c. &c. &c.

A Petition *Ezekiel Brigham*,

A Petition of *Abner Croker*,

A Petition of *David Wheelock*,

A Petition of *Norton Quincy*,

A Petition of *Edward Sears*,

A Petition of *Samuel Warren*.

The foregoing six Petitions were read in the House, and committed to the Committee appointed to consider Petitions for the Sale of Lands.

Bills read.

A Bill to enable the Assessors of *Ashburnham* to collect Taxes laid on the Lands in said Town.

Read a third Time, and pass'd to be engross'd.

Messages to &  
from the Board.

Upon a Motion, *Ordered*, That Mr. *Hancock* go up to the honorable Board for the Bill for confirming the Records of *Hartwood*.

Who returned he had delivered the Message.

*James*

James Russell, Esq; brought down the Bill for confirming the Records of *Hartwood*, and laid it on the Table.

A Bill for empowering the Trustees of absconding Debtors to compleat the Business assigned them.

Read twice.

Ordered, That the Bill be read again on Friday next, at Ten o'Clock.

A Bill to enable the Proprietors of Land called the Lisburn Propriety, to raise Money, for making Recompence to sundry Proprietors. Bill read.

Read the second and third Time, and pass'd to be engross'd.

The Committee on the Petition of *Richard Gridley*, reported. Report on Petition of Rich. Gridley.

Read and accepted, and Resolved, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make Sale of the whole of the Lands mention'd in said Petition, for the most the same will fetch ; and to make and execute a good and sufficient Deed or Deeds thereof, he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving sufficient Caution to the Judge of Probate for the County of *Suffolk*, that so much of the Proceeds arising by such Sale as is necessary be apply'd to discharge the said Mortgage, and the Remainder thereof be put to Interest for the Use and Benefit of the said Children.

Sent up for Concurrence.

The Committee on the Petition of *Samuel Read*, reported.

Read and accepted, and Resolved, That the Prayer be granted ; and that two of his Majesty's Justices of the Peace for the County of *Worcester*, *Quorum Unus*, be and hereby are empowered if they see Cause to grant Licence to the Petitioner, to be an Innholder in *Uxbridge*, in the House he hath lately improv'd for that Purpose, the remaining Part of this Year, he recognizing according to Law (having obtain'd the Approbation of the Selectmen of *Uxbridge*) the said Justices returning a Certificate to the Court of General Sessions of the Peace next to be holden in said County. Report on Petition of Samuel Read.

Sent up for Concurrence.

The Committee on the Petition of *Henry Young Brown*, reported. Report on Petition of H. Y. Brown.

Read and accepted, and Resolved, That the Petitioner be and hereby is allowed to retail Spirituous Liquors at *Pigwakit* aforesaid, he recognizing before two Justices of the Peace within the Province, to observe such Rules and Orders as the Law directs in such Cases, the Recognizance to be lodg'd with the Clerk of the Court of General Sessions of the Peace for the County of *York*.

Sent up for Concurrence.

The Committee on the Petition of *Ruth Car*, and others, reported. Report on Petition of Ruth Car.

Read and accepted, and Resolved, That the Prayer be granted, and that the Petitioners in their said Capacity be and they are hereby empowered to make Sale of the Lands in the Petition mention'd, for the most the same will fetch, observing the Rules of the Law respecting the Sale of Real Estates by Executors and Administrators, and to make and execute a good and sufficient Deed or Deeds thereof ;



of; giving sufficient Security to the Judge of Probate for the County of *Bristol*, that the Proceeds thereof shall be apply'd for the Payment of the Debts of the Deceased, saving out of the Proceeds the Interest of one Third of such Sale to the said *Ruth Car*, Widow, during her natural Life; and the Overplus in the Sale of the other Part, after paying the Debts of the Deceased, be apply'd agreeable to his Will and the Law; and the Widow's Part after her Decease shall be dispos'd of among the Heirs of the Deceased, or their legal Representatives, according to Law.

Sent up for Concurrence.

Report on  
Petition of  
*D. & P. David.*

The Committee on the Petition of *Deborah* and *Patience David*, reported.

Read and accepted, and *Resolved*, That there be so much of the Petitioners Lands sold as will be sufficient to build them a small convenient House; and that the Sale of the Land and the building the House be under the Direction of the Guardians of the Petitioners, and the said Petitioners under the Direction of the Guardians hereby are empowered to give the Purchaser or Purchasers a good Deed or Deeds of the same.

Sent up for Concurrence.

Report on  
Petition of  
*John Barker.*

The Committee on the Petition of *John Barker*, reported.

Read and accepted, and *Resolved*, That the Petitioner be, and with the Advice and under the Direction of the Guardians of the Indians in the County of *Plymouth*, be and hereby is empowered to make Sale of the Lands in the Petition mention'd, and to give a good Deed or Deeds thereof, and apply the Monies arising by said Sale towards discharging the just Debts of the Petitioner, the Overplus, if any, to be lodg'd with the Guardians aforesaid, for the Use of said Petitioner.

Sent up for Concurrence.

Report on  
Petition of  
*Daniel Druce.*

The Committee on the Petition of *Daniel Druce*, reported.

Read and accepted, and *Resolved*, That the Petitioner's Pension be continued for three Years from *February 1769*, and that there be paid out of the publick Treasury to Mr. *Ephraim Shearman*, for the Use of the Petitioner, *Three Pounds* per Year, annually, during said Term.

Sent up for Concurrence.

Report on  
Petition of  
*Efr. Sooduck.*

The Committee on the Petition of *Ester Sooduck*, reported.

Read and accepted, and *Resolved*, That the Guardians of the *Natick* Indians be and hereby are empowered and directed to build or purchase a small convenient Dwelling-House for the Petitioner, with so much of the Monies as are now in said Guardians Hands as may be necessary therefor, the Residue of said Money still to remain in said Guardian's Hands for the Benefit of the Petitioner.

Sent up for Concurrence.

Report on  
Petition of  
Inhabitants of  
*South-Hadley.*

The Committee on the Petition of the Inhabitants of *South-Hadley*, reported.

Read and accepted, and *Resolved*, That the Town of *Granby* pay such a Proportion of Province and County Taxes laid on said District since *May* last, with the said District, as *Two Pounds seventeen Shillings and nine Pence* is to *Three Pounds sixteen Shillings*: And that the Justices of the Court of General Sessions of the Peace

for



for the County of *Hampshire* be empowered to proportion the County Tax to be laid on *Granby* accordingly.

Sent up for Concurrence.

*Isaac Royall*, Esq; brought down the Petition of a Number of Inhabitants of *Sandwich*, with a Report of the Committee thereon, Signed *Gamaliel Bradford*, per Order.

Petition of  
Inhabitants of  
*Sandwich*,  
bro't down.

Pass'd in Council, viz. In Council, *April 4, 1770.*

Read and accepted; and *Resolved*, That the Petitioners, Inhabitants of *Pecasset*, included within the following Bounds, viz. North by Lands of *William Tobey* and *John Tobey* inclusively, East to the Extent of the Petitioners Lands in the Woods, Southerly by *Falmouth* Line, and West by *Buzzard's-Bay*, be and hereby are set off as a separate and distinct Parish, and vested with all the Privileges that other Parishes are by Law vested with, according to the Bounds aforesaid.

A Petition of *Elisha Bond*, praying to be empowered to sell Land.

Petition of  
*Elisha Bond*.

Read and *Ordered*, That the Committee for the Sale of Lands consider the Petition and report.

Upon a Motion, *Ordered*, That the Petition of the Inhabitants of *Newbury* and *Newbury-Port* be revived, and re-committed.

Upon a Motion, *Resolved*, That this House will take into Consideration the Grants to Civil Officers on Wednesday next, at Ten o'Clock.

Then the House adjourn'd till Friday next Ten o'Clock.

VENERIS 6 Die Aprilis, A. D. 1770.

¶ Petition of *Moody Bridges* and *Benjamin Mulliken*, praying  
A that they may be quieted in the Possession of a certain  
¶ Tract of Land therein mention'd.

Petition of  
*M. Bridges*, and  
*B. Mulliken*.

Read and committed to Mr. *Lombard*, Capt. *Thayer*, and Mr. *Bragdon*.

Upon a Motion, *Resolved*, That the Sum of *Fifteen Hundred Pounds* be and hereby is transferred from the Appropriation of Grants, to the Appropriation for Debts where there is no Establishment; and that the Treasurer be and hereby is directed to make the Transfer accordingly. Sent up for Concurrence.

Treasurer directed.

A Petition of *Josiah Wright*, praying that an Allowance may be made to him for an Horse stolen from him when in the Service of the Government.

Petition of  
*Josiah Wright*.

Read and dismiss'd.

The Report of the Committee of both Houses on the Petition of a Number of Inhabitants of the Town of *Sandwich*, living in that Part of the Town called *Pecasset*, pass'd in Council, brought down from the Board and enter'd on Saturday.

Report on  
Petition of  
Inhabitants of  
*Sandwich*.

Read and concurr'd.

A Petition of *Robert Wheaton*, praying for a re-hearing of a Cause therein mention'd.

Petition of  
*Robert Wheaton*

K k

Read

Read and *Ordered*, That the adverse Party be notified to shew Cause on the third Wednesday of the next Sitting of this Court, why the Prayer should not be granted.

Bill read. A Bill for empowering the Trustees of absconding Debtors to compleat the Business assigned them.

Read a third Time, and pass'd to be engross'd.

Petition of J. Pattin, &c. A Petition of John Pattin, and others, Inhabitants of Chatham-  
cepoint, in the Town of Bodoinham, praying to be set off to Topsham.

Read and *Ordered*, That the Inhabitants of Bowdoinham be notified by the Petitioners serving the Clerk of said Town to shew Cause on the third Thursday of next May Session.

Sent up for Concurrence.

Bill read. A Bill for compleating the Collection of Taxes on the Non-resident Proprietors of Greenwich.

Read a first Time, and *Ordered*, That the Bill be read again at Three o'Clock.

A Bill for confirming the Records and Proceedings of a new Plantation called Hartwood, brought down from the honorable Board.

Pass'd in Council, viz. In Council, April 6, 1770.

Read and concurr'd with the Amendment.

Petition of Bela Lincoln. Sent down for Concurrence. Read and concurr'd.

A Petition of Bela Lincoln, praying a Re-hearing of a Cause therein mention'd.

Read and *Ordered*, That Mr. Hearsay, Capt. Harwood, and Mr. Greenleaf, consider the Petition and report.

Upon a Motion, *Ordered*, That the Petition of Ezekiel Wood be reviv'd, and committed to Mr. How, Mr. Bancroft and Mr. Sprague.

Upon a Motion, *Ordered*, That the Petitioner Sarah Nims have Leave to withdraw her Petition.

Petition of Aaron Felt. A Petition of Aaron Felt, prying Liberty to sell certain Lands.

Read and committed to the Committee for the Sale of Lands.

Petition of A. Kirkwood. A Petition of Alexander Kirkwood, praying for an Allowance of Interest on certain Province Notes mention'd in the Petition.

Read and committed to Mr. Hancock, Mr. Hall and Mr. Durfee.

Report on Petition of Inhabitants of Chesterfield. The Committee on the Petition of the Inhabitants of Chesterfield; and also on the Petition of the Proprietors of that Part of Narragansett, No. 4, called, *The Gore*, reported that a Committee be appointed by this Court to repair to Chesterfield, and view the Lands mentioned in both Petitions, and make Report to this Court as soon as may be, what they think proper to be done thereon.

Read and accepted, and Major Foster and Capt. Denny, with such as the honorable Board shall join, are appointed to proceed, at the Charge of the Petitioners.

Sent up for Concurrence.

James Pitts, Esq; brought down the Petition of Henry Young Brown. Pass'd in Council, viz. In Council, April 6, 1770.

Read and concurr'd as taken into a new Draft.

Sent down for Concurrence.

Gamaliel

*Gamaliel Bradford*, Esq; brought down the Petition of *Henry Young Brown*, with the Report of a Committee.

Petition of  
*H. Y. Brown*  
brought down.

Pass'd in Council, viz. In Council April-6, 1770.

Read and sent down.

Read and not accepted, and Ordered, That *Col. Otis*, *Capt. Sheaff*, *Brigadier Prebble*, *Mr. Lombard*, *Brigadier Ruggles*, *Mr. Hobson*, *Capt. Thayer*, *Mr. Steward* and *Mr. Rawson*, be a Committee to consider this Petition and report.

The Vote of Council on the Petition of the District of *Ware*, brought down the 4th Instant.

Read and nonconcur'd, and Ordered, That *Mr. Strong* and *Mr. Bigelow of Worcester*, with such as the honorable Board shall join, be a Committee to take the Petition into Consideration, hear the Parties and report.

Sent up for Concurrence.

### *Post-Meridien.*

A Petition of *Nathan Simmons*, praying for Liberty to sell Lands.

Petition of  
*Nat. Simmons*.

Ordered, That the Committee for the Sale of Lands consider the Petition and report.

The Committee on the Petition of *Samuel Warren*, reported.

Report on  
Petition of  
*Sam. Warren*.

Read and accepted, and Resolved, That the Prayer be granted, and that the Petitioner is accordingly fully empowered to sell the whole of the Estate mentioned in the Petition, and make and execute a good Deed or Deeds thereof, observing the Rules of the Law respecting the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Worcester*, that the Proceeds be apply'd as follows, viz. One Half to be put to Interest for the Benefit of the Deceased's two Children 'till they shall arrive at full Age; at which Time the said Principal and Interest to be paid to them or their legal Representatives. And that the said *Susanna*, the Widow, shall have and enjoy the Interest arising on the other Half, during her natural Life, agreeable to her former Husband's Will; and after her Decease, to be divided between the said two Children, or their legal Representatives: Reference always to be had to the last Will and Testament of the said *Isaac Tinney* deceased, and the said *Susanna* his Widow's Quit-Claim by her duly executed.

Sent up for Concurrence.

The Committee on the Petition of *Aaron Felt*, reported.

Read and accepted, and Resolved, That the Prayer be granted, and the Petitioner be and hereby is empowered to sell the Estate within mentioned, for the most the same will fetch, (he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators) and to make and execute a good and sufficient Deed or Deeds thereof; and giving sufficient Security to the Judge of Probate for the County of *Essex*, that he will apply the Proceeds of said Sale for the Payment of the deceased's Debts, saving that the Widow shall be allowed the Use of one Third Part of the Proceeds thereof during her natural Life, and after her decease, the same to be disposed of according to Law.

Report on  
Petition of  
*Aaron Felt*.

Sent up for Concurrence.

The



Report on  
Petition of  
*Benj. Durfey.*

The Committee on the Petition of *Benjamin Durfey*, reported.  
Read and accepted, and *Resolved*, That the Prayer of the Petition be granted, and the Petitioner be and hereby is empowered to make Sale of the Real Estate mentioned in the Petition, and execute a good Deed or Deeds thereof, observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Bristol*, that the Money be apply'd for the Purpose mentioned in the Petition.

Sent up for Concurrence.

Petition of  
*J. Russell, Esq;*  
&c.

A Petition of *James Russell*, and *Jonathan Sewall*, Esqrs; praying that *Sarah Atkins* may be empowered to give a Release to the Executors of the late honorable *Chambers Russell*, Esq; for the Reasons mentioned.

Read and committed to Mr. *Hall*, Brigadier *Prebble* and Mr. *Strong*.

Petition of  
*Timothy Fuller.*

A Petition of *Timothy Fuller*, Administrator on the Estate of *Jonathan Nevis*, deceased, praying that the Governor and Council may be empowered to hear and determine a certain Appeal mentioned in his Petition. And that the Proceedings against him upon an Arbitration Bond, mentioned also in the Petition, may be stayed until the said Appeal can be determined.

Read and committed to Mr. *Gardner* of *Cambridge*, Mr. *Stickney* and Mr. *Sumner*.

Petition of  
*P. Woodbury, &c.*

A Petition of *Peter Woodbury* and *Ebenezer Thorndike*, praying for further Time to obtain the King's Approbation of the Grant of four Townships, made to them by this Government.

Read and committed to Brigadier *Prebble*, Capt. *Robinson*, and Mr. *Gardner* of *Stow*.

Bill brot down.

*John Erving*, Esq; brought down the Bill to enable the Trustees of Insolvent Debtors to compleat the Business assigned them, by an Act made and passed in the fifth Year of his present Majesty's Reign, intituled an Act for preventing Fraud in Debtors, and for securing the Effects of insolvent Debtors for the Benefit of their Creditors, &c. by one other Act made in Addition thereto the same Year.

Pass'd in Council, viz. In Council, April 6, 1770.

Read a first Time. P. M. Read a second Time, and pass'd a Concurrence to be engross'd with Amendment.

Sent down for Concurrence. Read and concur'd.

Petition of  
*John Cotton.*

A Petition of *John Cotton*, praying that the Petition he prefer'd to this Court at the last Session may be revived.

Ordered, That the Secretary lay on the Table the Petition of *John Cotton*.

The Secretary laid the same on the Table.

Resolve respect  
ing unappropri  
ated Lands.

The Committee appointed for that Purpose brought in the following Resolve, viz.

*Resolved*, That Capt. *Nathaniel Dwight*, be hereby appointed a Committee in Behalf of this Province to make Enquiry and endeavor to find out all the unappropriated Lands belonging to this Province, lying either within the County of *Hampshire* or *Berkshire*,  
and

and to make and lodge in the Secretary's Office as soon as may be, true and accurate Plans of the several Tracts and Parcels of such unappropriated Lands, thereing expressing the Bounds and Quantities of each Tract with such Certainty that the General Court may act with Knowledge and Safety in the Disposition of the same.

Sent up for Concurrence.

The Committee on the Petition of *James Gray*, reported.

Read and accepted, and *Resolved*, That the Petitioner notify the adverse Party of this Petition, by leaving an attested Copy with him, to shew Cause on the third Wednesday of the next Session of the General Assembly, why the Prayer should not be granted.

Report on  
Petition of  
*James Gray*.

Sent up for Concurrence.

The Petition of *John Cotton*.

Read and revived, and *Ordered* to lie.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

SABBATI 7 Die Aprilis, A. D. 1770.

\*\*\* Petition of *Thomas Moulton*, and others, praying that the  
\* A \* Superior Court in the County of *Lincoln*, may be em-  
\*\*\* powered to review an Action mention'd in the Petition.

Petition of  
*T. Moulton, &c.*

Read and *Ordered*, That Mr. *Gardner* of *Stow*, Col. *Murray* and Capt. *Thayer*, consider the Petition and report.

A Petition of *Thankful Putman*, praying to be empowered to sell certain Lands therein mentioned.

Petition of  
*T. Putman*.

Read and *Ordered*, That the Committee appointed to consider Petitions for the Sale of Lands, take this Petition into Consideration, and report.

A Petition of *David Rowe*, of *Gloucester*, praying that *Elizabeth Warner*, Administratrix on the Estate of *Philemon Warner*, may be empowered to make and execute to him a sufficient Deed of certain Land mention'd in the Petition.

Petition of  
*David Rowe*.

Read and committed to Mr. *Sanders*, Capt. *Thayer*, and Capt. *Mosely*.

The Committee on the Petition of *Jacob Bennet*, reported that the Prayer be granted.

Report on  
Petition of  
*Jacob Bennet*.

*Ordered*, That Brigadier *Ruggles* bring in a Resolve for the same Purpose.

Bill enacted.

An Engros'd Bill to enable the Trustees of absconding Debtors to compleat the Business assigned to them.  
Read and pass'd to be enacted.

Petition of Beriah Tree.

A Petition of *Beriah Tree*, praying for a Confirmation of Land mentioned in the Petition.  
Read and committed to Major *Day*, Capt. *Fuller*, and Capt. *Dix*.

Report on Petition of Selectmen, &c. of York.

The Committee on the Petition of the Selectmen and Overseers of *York*, reported.  
Read and accepted, and Resolved, That the Prayer be granted, and that the Petitioners be empowered to make Sale of the Real Estate mentioned, for the most it will fetch, and make a good Deed thereof, observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *York*, that the Proceeds be apply'd for the Purposes mentioned. Sent up for Concurrence.

Petition of John Cotton.

A Petition of *John Cotton*, setting forth certain Difficulties he is under, and praying the Compassion and Relief of this Court.  
Read and committed to Capt. *Sumner*, Mr. *Sanders*, Col. *Williams* of *Hatfield*, Brigadier *Ruggles*, and Mr. *Hall*.

Upon a Motion, Resolved, That the Sum of Twenty Pounds be paid out of the public Treasury into the Hands of the Rev. *Joseph Green* of *Barnstable*, to be by him apply'd for the Support of the Gospel among the Inhabitants of *Province-Town* the Year past.  
Sent up for Concurrence.

Report on Petition of Timothy Fuller.

The Committee on the Petition of *Timothy Fuller*, reported that the Petition be dismiss'd.  
Read and not accepted, and recommittd, and  
Ordered, That Mr. *Gardner* of *Stow*, and Dr. *Holton* be added to the Committee.

*Samuel Dexter*, Esq; came down from the honorable Board, to desire the House would send up the *Ashfield* Petition.

*Joseph Williams*, Esq; carried up to the honorable Board the Petition of a Number of Inhabitants of *Ashfield*.

Petition of Inhabitants of Ashfield bro't down.

*James Russell*, Esq; brought down the Petition of a Number of the Inhabitants of *Ashfield*.

Pass'd in Council, viz. In Council April 7, 1770.

The Board resuming the Consideration of the within-mentioned Petition, pass'd a Concurrence with Amendment at A, viz. add the Words, provided the same be not already sold.

Sent down for Concurrence.

Read and non-concurr'd, and Ordered to lie.

A Message from His Honor the Lieutenant-Governor, by the Deputy Secretary.

Gentlemen



Gentlemen of the Council, and House of Representatives,

Message from  
His Honor.

*THE Secretary will lay before you several Papers which I have received from one of his Majesty's Justices of the Peace, and divers other Persons, Inhabitants of the Town of Gloucester, and which relate to a very disorderly riotous Transaction in the said Town. A Person appears to have been most inhumanly treated, for seeking Redress in the Course of the Law, for former Injuries received. As this Information comes to me while the General Court is sitting, I have thought it proper to communicate it to the House of Representatives, as well as to his Majesty's Council, that if any Act or Order of the whole Legislature shall be judged necessary for strengthening or encouraging the executive Powers of Government, there may be an Opportunity for it. I must observe to you that a Number of Persons of the same Town were prosecuted and fined at the Superior Court for the County of Essex in June last, for injuring the Person and Property of the present Complainant in a barbarous Manner; and if it be truly represented, that the same Persons have been concerned in this second Offence, it is a great Aggravation of their Crime, and a Defiance of the Laws and the Authority of Government.*

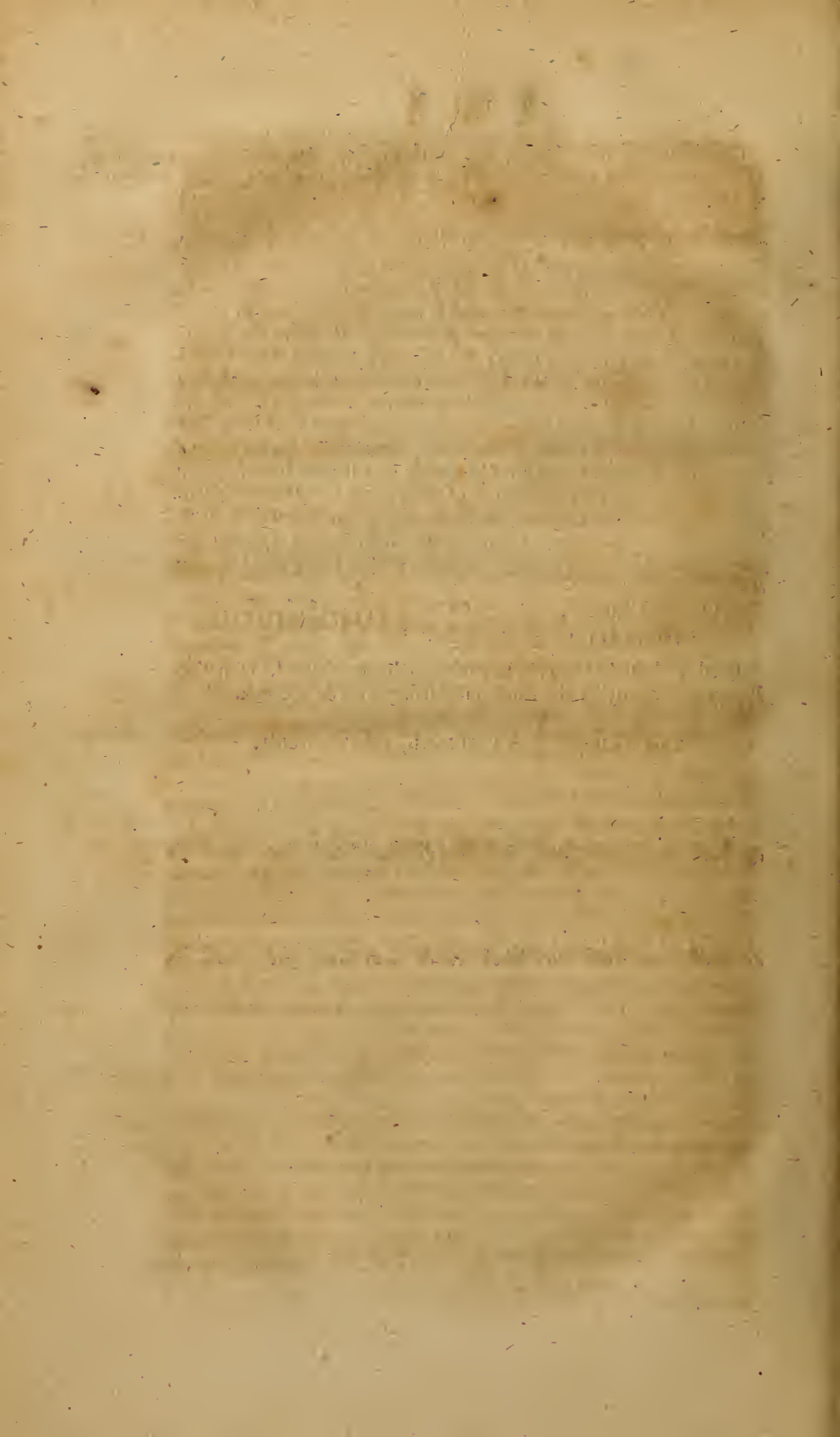
Council-Chamber,  
April 7, 1770.

**T. Hutchinson.**

Read and Ordered, That this Message be considered, with the Papers accompanying the same, on Tuesday at Ten o'Clock.

Then the House adjourn'd 'till Monday next, Ten o'Clock,







# V O T E S

Of the Honorable House of Representatives.



LUNÆ 9 Die Aprilis, A. D. 1770.



Bill to erect the North Precinct of the Town of Norton into a separate District.

Bill read.

Read the first and second Time, and,

Ordered, That the Bill be read again To-Morrow at Ten o'Clock.

The Speaker communicated to the House a Letter from Dennys DeBerdt, Esq; dated London, January 1, 1770. Also, Letters from Mr. DeBerdt.

Another Letter from Dennys DeBerdt, Esq; dated London, January 27, 1770, inclosing Mr. DeBerdt's humble Petition to the King in Council, and an Order thereon.

Read and committed to the Committee appointed to consider the Letters from Mr. DeBerdt and Mr. Bollan.

The Committee appointed to consider the Accounts of the Guardians of Indians, reported upon the Accounts of the Guardians of the Dudley Indians, viz. that they are right cast and well vouch'd, and that the said Guardians have receiv'd since their last Settlement in March 1767, Twenty-seven Pounds; and have paid for said Indians Use and Benefit for Doctor's Bills, Nurses, Provisions, &c. Thirty-eight Pounds eighteen Shillings and six Pence half Penny; and that the said Guardians are in Advance the Sum of Eleven Pounds eighteen Shillings and six Pence half Penny.

Read and accepted.

Sent up for Concurrence.

The Committee on the Petition of Benjamin Mulliken and Moody Bridges, reported.

Report on Petition of M. Bridges, and B. Mulliken.

Read and accepted, and Resolved, That the Prayer of this Petition be granted, and that the said Proprietors have and hold, and it is hereby granted to them, that they have and hold the said Township according to the Extent described in the original Grant, any Petition of said Proprietors, or Grant of this Court thereon notwithstanding, according to said Proprietors Petition, and the Intent thereof. And the Lands resolved on their said Application to be

M m

given



given them for an equivalent, is hereby received back as Lands belonging to the Province. The said Proprietors fulfilling the Condition of the original Grant. Sent up for Concurrence.

Report on  
Petition of  
Inhabitants of  
*Cathance Point.*

The Committee on the Petition of the Inhabitants of *Cathance-Point*, so called, in *Bowdoinham*, reported.

Read and accepted, and *Resolved*, That the Petitioners serve the Town-Clerk of *Bowdoinham* with a Copy of the Petition to shew Cause on the third Thursday of the next Session of this Court, why the Prayer should not be granted.

Sent up for Concurrence.

Petition of  
*Abigail Mason.*

A Petition of *Abigail Mason*, of *North-Yarmouth*, praying to be empowered to sell Land.

Read and *Ordered*, That the Committee appointed to consider Petitions for the Sale of Lands, consider this Petition and report.

Petition of  
*Eben. Mason.*

A Petition of *Ebenezer Mason*, praying to be empowered to make a Deed of certain Lands he holds in Right of his Wife now deceased, for Reasons mentioned.

Read and committed to Major *Hawley*, Mr. *Strong*, and Mr. *Lombard*.

Petition of  
*D. Phips, &c.*

A Petition of *David Phips*, Esq; and others, praying for a Consideration, their Ancestors having been in the *Canada Expedition* in 1690.

Read and committed to Capt. *Sheaff*, Capt. *Dix*, and Brigadier *Prebble*.

Petition of  
*Joshua Fuller.*

A Petition of *Joshua Fuller*, and others, in Behalf of the Grantees of a Township therein mentioned, praying for an Equivalent in Lieu of said Township falling within the *New-Hampshire Line*.

Read and committed to Capt. *Sheaff*, Capt. *Dix*, and Brigadier *Prebble*.

Petition of  
*Ch. Pyncheon.*

A Petition of *Charles Pyncheon*, and others, Executors of the last Will and Testament of *Josiah Dwight*, Esq; deceased, praying to be empowered to sell any Part of the Estate of the Deceased, without the Concurrence of *John Worthington*, Esq; who was appointed Co-Executor with them, but declined to accept the Trust: And also that they may be empowered to release certain mortgaged Lands for Reasons mentioned.

Read and committed to the Committee for the Sale of Lands.

Petition of  
*S. & S. Dwight.*

The Committee on the Petition of *Samuel Dwight* and *Sarah Dwight*, reported.

Read and accepted, and *Resolved*, That the Prayer be so far granted, as that *Samuel Dwight*, one of the Petitioners, be and he hereby is empowered in said Capacity, to make Sale of the House within mention'd, and Land adjoining, being about one Hundred and sixty Acres, for the most the same will fetch, and to make and execute a good Deed or Deeds to the Purchaser, observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Worcester*, that the Money arising by said Sale be apply'd for the Purpose mention'd in the Petition.

Sent up for Concurrence.

A Petition of *John Asbley*, Esq; and others, praying for a Grant of unappropriated Lands for Reasons mentioned.

Petition of  
*J. Asbley*, Esq;

Read and committed to Col. *Whitcomb*, Mr. *Greenleaf*, and Col. *Gerrish*.

*Israel Williams*, Esq; brought in the following Resolve upon the Petition of *Thomas Rice*, according to Order.

Resolve on  
Petition of  
*Thomas Rice*.

*Resolved*, That *Thomas Rice*, Esq; in Behalf of the Inhabitants of the Town of *Pownalborough*, be and hereby is required and empowered to issue his Warrant directed to the Persons chosen Constables in the Year 1768; requiring them, or either of them, to notify and warn the Freeholders and other Inhabitants in said Town qualified according to Law to vote in Town Meetings, to assemble at such Time and Place as in and by said Warrant shall be required; to choose such Officers as by Law Towns are required to do in the Month of *March* annually; and further to consider and determine such other Matters and Things as shall be mention'd and inserted in the said Warrant.

And the Assessors that shall or may be chosen at said Meeting, are hereby required and empowered to assess such Sums of Money as were granted by the said Town in the Month of *March* 1768, for the defraying the Charges arisen in said Town; also all County Charges required to be assess'd on the Inhabitants of said Town in the Years 1768 and 1769, and the Province Tax assessed on said Town the last Year: And the Province Treasurer and Assessors aforesaid, are respectively empowered and directed to issue their Warrants to the Constables or Collectors that may be chosen at said Meeting, to levy and collect the same; and the said Constables or Collectors are required to collect and pay the same, as in and by the said Warrants they shall be directed and ordered.

Read and accepted.

Sent up for Concurrence.

The Committee on the Petition of *Thomas Moulton*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted; and that the Petitioners notify the said *John Stinson*, Esq; and *James Drummond*, Jun. of this Petition, by leaving with them an attested Copy thereof, that they shew Cause, if any they have, on the second Tuesday of the next Session of the General Court, why the Prayer should not be granted.

Report on  
Petition of  
*Tho. Moulton*.

Read and accepted.

Sent up for Concurrence.

Brigadier *Ruggles*, according to Order, bro't in the following Resolve, on the Petition of *Jacob Bennet*, viz.

Resolve on  
Petition of  
*Jacob Bennet*.

*Resolved*, That the Prayer of the above Petition be granted; and that the said *Jacob Bennet*, as Administrator on the Estate of *Elisba Bennet*, deceased intestate, be and is hereby authorized and empowered to re-convey the Premises to the said *Jotham Bennet*, his Heirs, and Assigns, he paying to the said *Jacob*, Administrator as aforesaid, the Sum in the Petition mentioned, with the Interest thereof, which shall be considered as Assets in the Hands of said Administrator, and apply'd accordingly.

Sent up for Concurrence.

Then the House adjourn'd 'till To-Morrow Morning Nine o'Clock.

MARTIS, 10 Die Aprilis, A. D. 1770.

Bill read.

Bill for compleating the Collection of a Tax on the Non-resident Proprietors of Greenwich, in the County of Hampshire.

Read a first Time.

Upon a Motion, Ordered, That the Petition of Capt. Joseph Mellen be revived.

Read and committed to Capt. Sheaffe, Mr. Hemingway, and Mr. Gardner of Stow.

Petition of David Alden.

A Petition of David Alden, praying that the Justices of the Inferior Court of Common Pleas may be empowered to amend a Bill of Cost mention'd in the Petition.

Read and committed to Mr. Lombard, Capt. Darby and Capt. Thayer.

Report on Petition of Abner Crocker.

The Committee on the Petition of Abner Croker, reported.

Read and accepted, and Resolved, That the Prayer be granted, and that the Petitioner in his said Capacity as Guardian to said Minors, be and he hereby is empowered to make Sale of their Interest in the Wood Land and Cedar Swamp mention'd in the Petition, and to make and execute a good Deed or Deeds of the same to the Purchaser or Purchasers; he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of Plymouth, that the Money arising by said Sale be paid to said Minors, with the Interest thereof, as they shall respectively arrive at full Age, to each one his Part or Proportion agreeable to the Will of the Testator.

Sent up for Concurrence.

Petition of W Breakinridge

A Petition of William Breakinridge, praying that the District of Ware may be furnished with the Province Laws.

Read and Ordered, That the Prayer of the Petition be granted.

Sent up for Concurrence.

Petition of Ja. Kirkwood.

A Petition of James Kirkwood, praying to be empowered to make Sale of certain Lands.

Read and committed to the Committee for the Sale of Lands.

Petition of David Fisk.

A Petition of David Fisk, praying to be empowered to sell certain Lands.

Read and committed to the Committee for the Sale of Lands.

It was mov'd that Bryant Morton, and others, Soldiers in the Expedition to Louisbourg in 1745, or their Heirs, may have a Grant of unappropriated Lands lying on the East Side of Saco River, in Compensation for their good Services in said Expedition, and all other Demands.

Ordered, That the Consideration of this Motion be referr'd till his Honor's Message relating to a Road to Quebec be consider'd.

Bills read.

A Bill for reviving and continuing sundry Laws expired or near expiring.

Read the first Time.

Ordered, That the Bill be read again To-morrow at Three o'Clock.



A Bill to erect the North Precinct in the Town of Norton, in the County of Bristol, into a separate District by the Name of —. Bill read.

Read the third Time, and pass'd to be engross'd.

Upon a Motion, Ordered, That Mr. Strong go up to the honorable Board to enquire whether they have pass'd upon the Vote of this House for altering the Times for holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the Province. Message to the Board.

Who returned that he had delivered the Message.

The Message of his Honor the Lieutenant Governor of Saturday last, Committee on His Honor's Message.

Read again, and Ordered, That Col. Otis, Mr. Williams of Taunton, Major Hawley, Mr. Adams, Mr. Otis, Mr. Hancock, and Mr. Sanders, consider the Message, and report an Answer.

A Petition of Nathaniel Shaw, and others, praying a further Time for obtaining his Majesty's Approbation of a Grant of Land mention'd in the Petition. Petition of N. Shaw, &c.

Read and Ordered, That Mr. Hancock bring in a Resolve for the Purpose of the Petition.

A Petition of Sarah Fillebrown, praying to be empowered to sell certain Lands. Petition of S. Fillebrown.

Read and committed to the Committee for the Sale of Lands.

The Committee on the Petition of James Russell, and Jonathan Sewall, Esqrs; reported. Read and accepted.

A Petition of Ann Munro, praying to be empowered to sell certain Lands. Petition of Ann Munro.

Read and Ordered, That the Committee for the Sale of Lands consider the Petition and report.

### *Post-Meridiem.*

The Committee on the Petition of Sarah Fillebrown, reported.

Read and accepted, and Resolved, That the Prayer be granted, and that the Petitioner be and she hereby is empowered in her Capacity as Administratrix, to make Sale of the Moiety or half Part of the Still-House and Utensils within mention'd, for the most the same will fetch, and to make and execute a good Deed of the same to the Purchaser; she observing the Direction of the Law relating to the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of Suffolk that the Proceeds of said Sale shall be apply'd for the Purposes within mention'd. Report on Petition of S. Fillebrown.

Sent up for Concurrence.

The House resum'd the Consideration of the Petition of a Number of the Inhabitants of Ashfield, of the Baptist Perswasion. Petition of Inhabitants of Ashfield revived

Resolved, That the Petitioners notify the Proprietors of the Lands in Ashfield of this Petition, and also of the Paper accompanying the same, called the Sufferings of the Church in Ashfield, by serving the Clerk of said Proprietors with a Copy of said Petition and Paper, that they may shew Cause on the second Wednesday of the next May Session of the General Court, why the Prayer should not be granted, and that the Sale of the Petitioner's Lands be stay'd in the mean Time.

Sent up for Concurrence.

N n

Harrison

Message from  
the Board.

*Harrison Gray*, Esq; came down and acquainted the House that the Board had concurr'd the Vote for altering the Times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas.

*Ordered*, That Mr. *Strong* and Brigadier *Ruggles*, with such as the honorable Board shall join, be a Committee to prepare a Bill for altering the Times for holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the Province.

Sent up for Concurrence.

Upon a Motion, *Ordered*, That the Report of the Committee on the Petition of *James Russell*, and *Jonathan Sewall*, Esqrs; be reconsidered; and the Petitioners had Leave to withdraw the Petition.

His Honor's Message of the 29th of *March*,

Read again, and *Ordered*, That Brigadier *Prebble*, Mr. *Spooner*, Col. *Whitcomb*, Capt. *Mitchel* and Capt. *Derby*, consider the same and report.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

MERCURII, Die 11 Aprilis, A. D. 1770.

Report on  
Petition of  
*David Alden*.

THE Committee on the Petition of *David Alden*, reported.  
Read and accepted, and *Resolved*, That the Justices of the Courts of Common Pleas for the County of *Cumberland*, be empowered to rectify the Mistake mentioned in the Petition, at their next Sitting, or any Time after at their Sitting in said County. And that the Defendant in said Action, or his Attorney, be notified of the Time of taxing said Bill.

Sent up for Concurrence.

Report on  
Petition of  
*Sarah Chipman*

The Committee on the Petition of *Sarah Chipman*, and others, reported.

Read and accepted, and *Resolved*, That the Prayer be granted; and that the Petitioners be and hereby are empowered to make Sale of the whole of the Real Estate of the within named *Seth Chipman*, for the most it will fetch, and to make and execute a good Deed or Deeds of the same, to the Purchaser or Purchasers, they observing the Directions of the Law for the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Plymouth*, that the Money arising by said Sale, be apply'd (so much as is sufficient) for the Payment of the said deceased's Debts; and the Overplus put to Interest for the Benefit of the Widow and Heirs.

Sent up for Concurrence.

Report on  
Petition of  
*C. Pyncheon, &c*

The Committee on the Petition of *Charles Pyncheon*, and others, reported.

Read and accepted, and *Resolved*, That the Prayer be granted; and that the Petitioners and the Survivor or Survivors of them in their said Capacity be and hereby are empowered to make Sale of such



such Parts of the said Real Estate, and make good and sufficient Conveyance and Assurances thereof in the same Manner and to the same Purposes, without the Participation of the said *John Worthington*; Esq; as they all might have done together by Virtue of said Will.

And further *Resolved*, That the said Petitioners and the Survivor or Survivors of them be, and are hereby empowered during the Execution of his, her or their Trust to release to the Mortgager or Mortgagers, or their Heirs; the Right or Rights of the Heirs of said Testator, to and in such Lands or Real Estate mortgaged to him in his Life Time, upon said Mortgager or Mortgagers paying to the said Executors or the Guardians of the Children of the said *Josiah Dwight*, Esq; deceased, for their Use, the Mortgage Money and the Interest thereof, notwithstanding the Time limited by Law for the Redemption thereof is elapsed.

And further *Resolved*, That the said Petitioners be and are hereby empowered to convey to *Zechariah Warner*, Junr. of *Suffield*, the one 12th Part of the Saw-mill in their Petition mention'd, upon his paying to them or the Guardians of the Heirs of the Testator the Purchase Money of the same, and the Interest thereof, for the Use of the said Heirs, in such Proportion and in the same Manner as is ordered by the Testator in Case the said Interest in said Saw-mill had remain'd to said Estate.

Sent up for Concurrence.

The Committee on the Petition of *Abijah Ingalls*, reported.

Report on  
Petition of  
*Abijah Ingalls*.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to sell all the Estate in the Petition mentioned, for the most the same will fetch; and make and execute a good Deed or Deeds thereof; he observing the Rules of the Law respecting the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Essex*, that the Proceeds. of said Sale be apply'd as follows, viz. That the Interest of one Third Part thereof shall be annually paid to *Elizabeth Hutchinson*, the Widow of the said *Jonathan Hutchinson* deceased, for her Support, during her natural Life; and after her Decease, the same shall be paid to the Heirs of the said *Jonathan*, or their legal Representatives, agreeable to Law: And that the other two Thirds thereof be apply'd, first, to pay the just Debts of the said Deceased; and the Residue thereof be paid to the Heirs of the said deceased, and their Guardians for their Use, in such Proportion as they would have received their respective Parts or Portions of said Estate, if the same had not been sold as aforesaid.

Sent up for Concurrence.

A Petition of *Elizabeth Sortell*, praying to be empowered to make Sale of certain Lands therein, and for Reasons mentioned.

Petition of  
*Eliz. Sortell*.

Read and committed to the Committee for the Sale of Lands.

A Petition of *Robert Bartlett*, praying to be empowered to sell certain Lands.

Petition of  
*Robert Bartlett*.

Read and committed to the Committee for the Sale of Lands.

Upon



Upon a Motion made, *Ordered*, That Col. *Otis*, Mr. *Gardner* of *Cambridge*, and Mr. *Hancock*, be a Committee to wait on the Rev. Mr. *Appleton*, and desire a Copy of two Sermons delivered by him at *Cambridge*, on the late Day of Fasting and Prayer, in order that the same be printed.

The Committee on the Petition of *Francis Shaw*, and others, reported.

Report on  
Petition of  
*Francis Shaw*.

Read and accepted, and *Resolved*, That the further Time of Eighteen Months be allowed the Petitioners for the Purpose of their Petition. Sent up for Concurrence.

*Ordered*, That Brigadier *Prebble* prepare a like Resolve in Favor of the Grantees of the other Townships.

The House according to Order, entered into the Consideration of Grants to the Civil Officers of the Province:

*Resolved*, That the further Consideration thereof be referred to Wednesday next, at Ten o'Clock; and the Members are enjoined to attend at that Time.

It was mov'd to assign a Time to consider a proper Grant to his Majesty for the Support of his Honor the Lieutenant Governor and Commander in Chief.

*Resolved*, That the same be taken into Consideration on Thursday the 19th Instant, at Ten o'Clock.

*James Pitts*, Esq; brought down the Petition of the District of *Ware*, with a Report of a Committee thereon,

Petition of  
District of  
*Ware*, bro't  
down.

Signed *Samuel Dexter*, per Order.

Pas'd in Council, viz. In Council, *April 11, 1770*.

Read and accepted, and *Ordered*, That the Petition be dismiss'd accordingly.

Sent down for Concurrence.

*James Pitts*, Esq; brought down the Petition of *Seth Metcalf*, with a Report thereon.

Petition of  
*Seth Metcalf*  
bro't down.

Pas'd in Council, viz. In Council, *April 11, 1770*.

Read and accepted, and *Ordered*, That the Petition be dismiss'd accordingly.

Sent down for Concurrence.

*James Pitts*, Esq; brought down the Petition of the second Precinct in *Hingham*, with a Report, Signed *John Bradbury*, per Order.

Petition of  
2d Precinct in  
*Hingham* bro't  
down.

Pas'd in Council, viz. In Council, *April 11, 1770*.

*Ordered*, That *John Bradbury*, Esq; with such as the honorable House shall join, be a Committee to repair to *Hingham*, as soon as may be, view said Parish, and report to the Court what in their Opinion is proper to be done on said Petition; the Charge of said Committee to be borne as this Court shall order.

Sent down for Concurrence.

Read and concur'd, and Col. *Gerrish* and Major *Bancroft* are join'd.

Sent up.

Bills enacted.

An engross'd Bill to enable the *Assessors* of *Ashburnham* to collect the Taxes on the Lands in said *Ashburnham*.

Read and pas'd to be enacted.

An engross'd Bill for compleating the Tax on the Non-resident Proprietors of *Greenwich*.

Read and pas'd to be enacted.

A Petition of *Thomas North*, and others, praying the Aid of this Court, that they may hold certain Lands mention'd in the Petition. Petition of  
T. North, &c.

Read, and the Petitioners had Leave to withdraw the Petition.

A Message from his Honor the Lieutenant Governor by the Secretary.

Gentlemen of the House of Representatives,

**T**HE Platforms at *Castle-William* are in many Parts of them very defective, and the Neglect of them will occasion much greater Expence to the Province, than if constant Attention is given in Order to their being kept in Repair: Repairs are likewise necessary in some other Parts of the Works. The Committee do not think themselves authorised to engage in these necessary Repairs, until there shall be a Sum of Money in the Treasury appropriated to that Purpose. It depends upon you to make such Provision as his Majesty's Service and the Safety of the Province require. Message from  
His Honor.

Council-Chamber,  
Cambridge, April 11, 1770.

**T. Hutchinson.**

Read and Ordered, That this Message be considered at Five o'Clock.

The Committee on the Petition of *Henry Abbot*, and others, reported. Report on  
Petition of  
H. Abbot, &c.

Read and accepted, and Resolved, That the Prayer be granted ; and that the said Guardians be and hereby are empowered to sell all the Estate in the Petition mention'd, for the most the same will fetch, and give sufficient Deed or Deeds thereof ; they observing the Rules of the Law relative to the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Essex*, that the Proceeds of said Sale shall be apply'd as follows, viz. that there shall be paid to the Widow of the Deceased the Interest of one Third Part thereof annually during her natural Life for her Support ; and after her Decease the same be divided to and among the respective Heirs of the said *Joseph* or their legal Representatives according to Law ; and that the other two Thirds be put out to Interest for the Benefit of the Children of the Deceased, and be paid to them respectively at lawful Age, or to their legal Representatives, in such Proportion as they would inherit, had the same not been fold as aforesaid.

Sent up for Concurrence.

### *Post-Meridiem.*

A Memorial of *Asa Douglass*, praying the Confirmation of a Grant mentioned. Memorial of  
Asa Douglass.

Read and referr'd for Consideration to the next May Session.

A Message from his Honor the Lieutenant Governor by the Secretary.

Gentlemen of the House of Representatives,

**T**HE King's Instructions to the Governors of this Province relative to a Salary, and the Engagements which have been repeatedly made by the Representatives of the People upon the same Subject, are



are so well known to many, and I presume to most of the Members of the House, that it may rather be wondered at, that I have been so long silent at your Delay to make Provisions for my Support, than that I now take Notice of it. It is near nine Months since I came to the Chair, my Expences from various Causes have necessarily exceeded those of any Lieutenant Governors my Predecessors when they have been in the Chair. If my Services have fallen short it is not owing to want of Application; my whole Time being taken up in public Business to the neglect of all private Affairs: Nor is it owing to want of Disposition; it being my sincere Desire and Endeavor, whilst I have Opportunity in this Station, to promote the Interest of the Province.

I may not any longer omit recommending to you seriously to consider whether your thus distinguishing me from those who have gone before me, and laying me under a necessity of postponing the Part I am to take in the Business of the General Court, may not hereafter be improved to the Disadvantage of the Government. If I had nothing more in View than pecuniary Advantage to myself, with less Difficulty I might have refrained from sending you this Message. I have higher Motives, my Duty to the King and a Regard to the publick Interest.

Council-Chamber,  
Cambridge, 11th April, 1770.

T. Hutchinson.

Read and Ordered, That this Message be considered To-morrow at Ten o'Clock.

It was mov'd that the House re-consider the Vote of this Forenoon for referring the Consideration of Grants to the Civil Officers to Wednesday next. And upon a Return made of the House, there wanting one Member to compleat the Number present when the Vote pass'd, a previous Question was put, *Whether the House would consider the Motion, the Rule of the House notwithstanding?*

Which pass'd in the Negative.

Upon a Motion, Ordered, That Mr. Spooner bring in a Resolve for adjourning the Court of General Sessions of the Peace and Inferior Court of Common Pleas for the County of *Bristol*.

His Honor's Message of the Forenoon was read again,

Ordered, That Mr. Speaker, Capt. Sheaffe, Col. Williams of Roxbury, Mr. Hancock, and Mr. Adams, consider the same and report.

Upon a Motion, Ordered, That Col. Williams of Hatfield, carry up to the honorable Board the *Greenwich Bill*, and propose certain Amendments now made thereon, for their Consideration.

Who returned that he had carried up the same accordingly.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

Jovis, 12 Die Aprilis, A. D. 1770.

Petition of  
Thos. Smith,

\*\*\* Petition of Thomas Smith, of Falmouth, praying that cer-  
\*\*\* tain Acts of the Assessors of said Town may be confirm'd,  
\*\*\* for Reasons mentioned.

Read



Read and *Ordered*, That Mr. *Sanders* bring in a Resolve for the Purpose of the Petition.

A Petition of *Simeon Strong*, Esq; in Behalf of *South-Hadley*, Petition of  
Simeon Strong. praying that a Mistake in their County Rate may be rectified.

Read and *Ordered*, That the Petitioner bring in a Resolve accordingly.

A Bill in Addition to the Laws relating to High Ways.

Bill read.

Read the first Time.

*Ordered*, That the Bill be read again at Three o'Clock.

A Petition of Capt. *Charles Goodrich*, praying that a Tax may be laid on the Township of *Pittsfield*, for Reasons mentioned. Petition of  
Cha. Goodrich.

Read and committed to Mr. *Merril*, Mr. *Wood* of *Boxford*, and Mr. *Spaulding*.

The Committee on the Petition of *Ezekiel Wood*, reported.

Report on  
Petition of  
Ezekiel Wood.

Read and accepted, and *Resolved*, That there be hereby granted to the Inhabitants of said Town of *Uxbridge*, Seven Hundred and fifty Acres of the unappropriated Lands of this Province: and that they return a Plan thereof taken by a Surveyor and Chainman under Oath into the Secretary's Office within twelve Months from this Day, in Order for Confirmation.

Sent up for Concurrence.

A Petition of the Rev. Mr. *Stephen Badger*, praying that an Allowance may be made to *Eunice Spywood*, for supporting *Sarah Wampsquam*, an aged Indian. Petition of  
Rev. S. Badger.

Read and *Ordered*, That Capt. *Fuller*, Mr. *Stickney*, and Capt. *Thayer*, consider the Petition and report.

His Honor's Message of Yesterday Afternoon,

Read again, and committed to Mr. Speaker, Mr. *Adams*, Mr. *Hall*, Mr. *Hancock* and Major *Hawley*, to consider the same and report.

The Order of Council on the Petition of *Seth Metcalf*, bro't down Yesterday, Read and concurr'd.

The Order of Council on the Petition of *Benjamin Greenleaf*, and others, Read and concurr'd.

The Committee on the Petition of *William Mollineux*, and of *Elisha Brown*, and others, reported.

Report on  
Petition of  
W. Mollineux.

Read and debated.

*Ordered*, That this Report be further considered in the Afternoon.

## Post-Meridiem.

The Committee on the Petition of *Edward Potter*, and others, reported.

Report on  
Petition of  
E. Potter, &c.

Read and accepted, and *Resolved*, That the said Administrators, together with such Children of the said Deceased as are of the Age of twenty-one Years, be hereby authoriz'd and empowered, if they see meet, to execute to the said *Edward Potter* a Deed of Bargain and Sale of the said Piece of Land in Fee Simple; and that such Deed so executed shall be as valid and effectual to all Intents and Purposes, to vest the said *Edward Potter* with an Estate in said Land,

Land, as if the said Deceased had made his Deed thereof to the said Edward in his Life Time : And that such Deed when executed shall be in full Satisfaction and Discharge of all the Sums of Money which the said Edward has paid for said Piece of Land, either to the said Deceased in his Life Time, or to the said Administrators since his Death.

Sent up for Concurrence.

Resolve on  
Bristol County  
Courts.

Mr. Spooner according to Order brought in the following Resolve, viz.

*Whereas the Court of General Sessions of the Peace and Inferior Court of Common Pleas for the County of Bristol, according to the Time appointed by Law, should be holden at Taunton in said County on the first Tuesday in May next : And whereas by Reason of the present Circumstances of the County, it will be inconvenient for Persons concerned in the Business thereof, to attend at said Time : Therefore,*

*Resolved, That the said Court of General Sessions of the Peace and Inferior Court of Common Pleas, be and are hereby adjourn'd unto the second Tuesday of June next, then to be holden at said Taunton ; and that all Pleas, Processes, Writs, Actions, Suits, Complaints, Recognizances, & all other Matters and Things returnable, and having, or that should have Day in said Courts, if the same had been held on the said first Tuesday in May, shall be returnable and have Day in said Courts on the said second Wednesday in June, and shall abide and continue, unto that Time, and shall then be proceeded on, heard, tried and determined to all Intents and Purposes, as effectually as if said Courts had been held on the said first Tuesday of May.*

Read and accepted, and, Sent up for Concurrence.

The Committee on his Honor's Message of the 29th of March, reported.

Ordered, That the further Consideration of this Message be referred accordingly to the next May Session.

Petition of  
John Bird.

A Petition of John Bird, praying that the Administrators on the Estate of Jonathan Bird, deceased, may be empowered to make Sale to the Petitioner of certain Land mentioned.

Read and committed to Capt. Fuller, Mr. How, and Mr. Hearsey.

Report on  
Petition of  
W. Mollineux.

The House proceeded according to Order to consider the Report of the Committee on the Petitions of William Mollineux, and of Elisha Brown and John Brown, and after Debate,

Ordered, That Capt. Denny, Major Humphrey, Mr. Spooner, Mr. Gardner of Cambridge, Col. Ward, Capt. Thayer and Capt. Wood of Boxford, be a Committee to repair to the Manufactory House in Boston, and report to the House what Part thereof may be proper to be assigned to each Petitioner, and that the Petition and Report lie till said Committee shall report.

Resolve on  
Petition of  
Tho. Smith.

The Committee on the Petition of Thomas Smith, entered this Day, reported.

Read and accepted, and Resolved, That the Prayer be granted, and that the Assessment made, and the Warrants issued by the Assessors of the first Parish in Falmouth, for the Years 1764, 1765, 1766, 1767 & 1768, be and hereby are and shall be to all Intents and Purposes



Purposes, held good and valid, notwithstanding *Peter Noyes*, one of the Assessors for said Years, omitted to take the Oaths required by Law previous to making said Assessment, or issuing such Warrants; it appearing that the said *Peter* hath since sworn that in making the Rates for those several Years, he acted impartially and faithfully, according to Law, and his best Skill and Judgment.

Sent up for Concurrence.

A Bill relating to *High Ways*.

Read a second Time, and re-committed for Amendment.

Bill read.

A Petition of *William Gardner*, praying that he may be enabled to take out a Writ of Execution therein mentioned, the Time by Law limited being elapsed notwithstanding.

Petition of  
*Wm. Gardner.*

Read and committed to Mr. *Lombard*, Mr. *Merril*, and Mr. *Bigelow* of *Worcester*.

A Petition of the Rev. Mr. *John Treadwell* of *Lynn*, praying that the Parish may be empowered to make Sale of a Lot of Land granted for the Use of the Minister; the Money arising to be apply'd in purchasing a Piece of Salt Meadow for the same Use.

Petition of  
*J. Treadwell.*

Read and committed to Major *Humphrey*, Mr. *Foster*, and Mr. *Greenleaf*.

The House was mov'd that a Resolve be brought in to explain a Resolve of this Court in 1752, to exempt sundry Persons from paying Parish Taxes to the first and second Parishes in *Newbury*, while they supported the Ministry among themselves.

Ordered, That Mr. *Greenleaf*, Capt. *Harwood*, and Mr. *Spooner*, prepare and bring in a Bill accordingly.

Then the House adjourn'd till To-Morrow Morning Nine o'Clock.

VENERIS 13 Die Aprilis, A. D. 1770.

\*\*\*PON a Motion, Ordered, That Major *Humphrey*, Capt. *U* *Thayer*, and Capt. *Herrick*, bring in a Bill in Addition to \*\*\* an Act to prevent the Obstruction of Fish in *Manaticut*-River in *Braintree*.

Committee for  
a Bill.

Mr. *Greenleaf*, by Order, bro't in the following Resolve, viz.

Resolve on  
Inhabitants of  
*Newbury*.

Whereas in the Year 1752, on the Petition of *Charles Peirce, Esq;* and others, of the Town of *Newbury*, it was ordered by the General Court that the Petitioners, with *Daniel Peirce*, *Moses Noyes*, and *Joseph Lunt*, living in the first and third Parishes in said Town, their Polls and Estates, be discharg'd from paying any further Charges in said Parishes, so long as they with their Families support Preaching among themselves: And whereas sundry Controversies and Disputes have arisen, and may arise, whether the Heirs and Occupiers living on said Estates are by said Order of the General Court intitled to the same Privileges with their Predecessors, provided they support Preaching among themselves:

Resolved, That for the future it is to be understood that the Children and Occupiers living on the Estates that were exempted by

P p

said



said Order of 1752, and their Families and Estates, are hereby entirely free'd from paying Taxes to the first, and what was originally the third Parish aforesaid, provided they support Preaching among themselves. Read and accepted: Sent up for Concurrence.

Resolve on  
Petition of  
J. Russell, and  
J. Sewall, Esqs

Upon a Motion made, the House resumed the Consideration of the Petition of *James Russell*, and *Jonathan Sewall*, Esqrs;

Whereupon *Resolved*, That the Prayer thereof be granted; and that the said Executors be and they hereby are empowered to execute to *Mary Russell Atkins*, a Deed in Fee Simple of so much Land or Real Estate of the said Deceased, as shall amount to the Value of the Legacy bequeathed to her in said Will, in the Judgment of indifferent Men chosen, as is propos'd in said Petition; and that *Sarah Atkins*, Mother and Guardian of said *Mary Russell Atkins*, be and hereby is empowered, on the making and executing such Deed by the said Executors, to the Satisfaction of said Guardian; and upon Payment of the Interest according to said Will, to make, execute and deliver a full Release of the Legacy aforesaid: And such Release shall forever after be valid and sufficient to discharge the said Executors from all Demands, and to bar all Actions that may hereafter be bro't for, or on Account of the same Legacy; and shall operate and be effectual to all Intents and Purposes, as if the said *Mary Russell Atkins* had been of full Age, and had made such Release in her own proper Person.

Sent up for Concurrence.

Bills read.

A Bill for *reviving and continuing sundry Laws expired or near expiring*. Read the second Time.

*Ordered*, That the Bill be read again To-morrow at Ten o'Clock.

An engross'd Bill *to enable the Lisborn Proprietors to raise Money to make Recompence to several of the Proprietors*.

Read and *Ordered*, That Mr. *Strong* go up to the honorable Board, to propose an Amendment thereon.

An engross'd Bill *in Addition to an Act for making Lands and Tenements liable to the Payment of Debts*.

Read and pass'd to be enacted.

Report  
relating to the  
burning Go-  
vernment Secu-  
rities.

A Report of a Committee appointed to repair to the Treasurer's Office, take an Account of Government Securities which have been redeem'd, and see them burnt to Ashes, viz. That they had received of Mr. Treasurer *Gray*, Government Securities payable in June 1765, *One Hundred and eight Pounds*, the Interest paid thereon *thirteen Pounds seventeen Shillings and one Penny*, making *one Hundred and twenty-one Pounds seventeen Shillings and one Penny*: Also Government Securities payable in June 1766, *fifty Pounds*, the Interest paid thereon *four Pounds six Shillings and eight pence*, making *fifty-four Pounds six Shillings and eight pence*: Also Government Securities payable in June 1767, *seven Hundred and sixty-one Pounds*, Interest paid thereon *thirty-eight Pounds four Shillings and eleven pence*, making *seven Hundred and ninety-nine Pounds four Shillings and eleven pence*: Also Government Securities payable in June 1768, *three Thousand six hundred and one Pounds*, the Interest

Interest paid thereon *two Hundred and eleven Pounds five Shillings and six pence*, making *three Thousand eight Hundred and twelve Pounds five Shillings and six pence* : Also Government Securities payable in June 1769, *one Hundred and twenty-four Thousand nine Hundred and forty-eight Pounds*, the Interest paid thereon *six Thousand three Hundred and sixteen Pounds nine Shillings and six pence*, making *one Hundred and thirty-one Thousand two Hundred and sixty four Pounds nine Shillings & six pence* : All which Securities amount (with Interest included) to *one Hundred and thirty-six Thousand and fifty-two Pounds three Shillings and eight pence*, which said Committee had seen burnt to Ashes.

Signed, *Thomas Hubbard*, per Order.

Pass'd in Council, viz. In Council April 6, 1770.

Read and sent down. Read and accepted.

The Committee on the Petition of the Town of *Chatham*, reported.

Report on  
Petition of  
Town of  
*Chatham*.

Read and accepted, and Ordered, That the Town of *Chatham* be remitted the Sum of *Ninety-eight Pounds seven Shillings and nine pence*, being the Tax laid on them in the Year 1769, in full Consideration of the Reasons mention'd in said Petition : and that the Province Treasurer be directed to conform himself accordingly.

Sent up for Concurrence.

*William Sever*, Esq; came down from the honorable Board to acquaint the House that the Board concurr'd in the propos'd Amendment on the *Lisburne Propriety Bill* ; then the Bill pass'd to be enacted.

Message from  
the Board.

Mr. *Greenleaf* the Member for *Newbury-port* desiring Leave of Absence ; had Leave accordingly.

## *Post-Meridiem.*

The Committee appointed to consider his Honor's Message of the 11th Instant, reported.

Read and accepted, and thereupon Resolved, That Mr. *Hancock*, Capt. *Sheaffe*, Mr. *Spooner*, Col. *Brigham*, and Capt. *Mosely*, be a Committee to wait on his Honor with the following Message.

*May it please your Honor,*

YOUR Message of the 11th Instant, laid before this House has been duly considered ; and in Answer thereto we would acquaint your Honor that the House had before assigned Thursday next, to take under Consideration a Grant to his Majesty for the Support of the Lieutenant Governor and Commander in Chief. We conceive that nothing contained in the Message affords sufficient Ground for an Alteration of that Assignment. The House therefore do not think it proper to postpone the Business of the Government now lying before them for the Purpose of considering that Grant. At the Time appointed we shall consider the Matter with all that Attention which the Duty we owe to the King, and our Regard to the public Welfare shall require.

Message to his  
Honor.

The



Report on  
Petition of  
*Wm. Gardner.*

The Committee on the Petition of *William Gardiner*, reported.  
Read and accepted, and *Resolved*, That the Clerk of the Court of Common Pleas at *Pownalborough*, be and hereby is empowered to make out Execution upon the aforesaid Judgment, the said Deficiency notwithstanding. Sent up for Concurrence.

Report on  
Petition of  
*Eliz. Sortel.*

The Committee on the Petition of *Elizabeth Sortel*, reported.  
Read and accepted, and thereupon *Resolved*, That the Prayer be granted; and that the Petitioner be and hereby is in her said Capacity fully empowered to sell the whole of the Real Estate in her said Petition mention'd, for the most the same will fetch, she observing the Rules of the Law respecting the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Middlesex*, that the Interest of one third Part of the Proceeds of such Sale be annually paid to the Widow of the said Deceased, for her Support during her natural Life; and after her Decease the same shall be divided among the Heirs of the said *David Bennet*, deceased, or their legal Representatives; and the other two Thirds shall first be apply'd for the Payment of the Debts of the said Deceased, which the personal Estate was not sufficient to pay, and the Residue thereof shall be paid to the Guardian of the Children of the said *David Bennet*, deceased, to be put to Interest for their Use and Benefit.

Sent up for Concurrence.

Report on  
Petition of  
*Oliver Prescott.*

The Committee on the Petition of *Oliver Prescott*, reported.  
Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is fully empowered to make Sale of the Real Estate within mention'd, for the most the same will fetch, and to execute a good Deed or Deeds thereof to the Purchaser or Purchasers, he observing the Directions of the Law relating to the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Middlesex*, that the Money arising by said Sale be apply'd to the Payment of the said Deceased's just Debts, and the Overplus, if any there be, be distributed among the Heirs at Law.

Sent up for Concurrence.

Report on  
Petition of  
*David Rowe.*

The Committee on the Petition of *David Rowe*, reported.  
Read and accepted, and *Resolved*, That the Prayer be granted, and that *Elizabeth Warner*, Administratrix on the Estate of *Philemon Warner*, Jun. late of *Gloucester*, be and she hereby is empowered to re-convey the House and Land mention'd in the Petition, and execute a good Deed in Law of the same to *David Rowe*; it appearing that the Deed of said House and Land given by said *David Rowe* to *Philemon Warner*, was for securing the Payment of a Bond and Notes which said *David Rowe* had given to said *Philemon* in his Life Time, and for no other Purpose whatsoever.

Sent up for Concurrence.

Report on  
Petition of  
*Thank. Putman*

The Committee on the Petition of *Thankful Putman*, reported.  
Read and accepted, and *Resolved*, That the Prayer be granted, and that the within named *Jacob Moore*, Administrator on the said Deceased's Estate, be and he hereby is empowered in said Capacity



to make Sale of the Real Estate mention'd in this Petition, for the most the same will fetch ; and to make and execute a good Deed or Deeds in Law to the Purchasers ; he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators. And the Money arising by said Sale to be paid to the lawful Heir, when she shall arrive to full Age, or at the Time of her Marriage.

Sent up for Concurrence.

The Committee on the Petition of *David Wheelock*, and others, reported.

Report on  
Petition of  
*D. Wheelock*.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioners be and are hereby empowered to make Sale of the Real Estate mentioned in the Petition, for the most the same will fetch ; and to make and execute a good Deed or Deeds of the same to the Purchaser or Purchasers, they observing the Directions of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Worcester*, that the Money arising by said Sale be apply'd for the Use of the Widow and Children of *Nathaniel Jones*, Jun. of *Mendon*, in said County of *Worcester*, deceased, each one to have their proportionable Share, agreeable to the last Will and Testament of the said *Nathaniel Jones*, Jun. the said Widow, now *Rachel Wheelock's* Share, not to exceed one Third Part of the Interest of the Money arising by said Sale, during her natural Life.

Sent up for Concurrence.

The Committee on the Petition of *Hugh Orr*, reported.

Report on  
Petition of  
*Hugh Orr*.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and he hereby is empowered to make Sale of the twenty-nine Acres of Land within mention'd, for the most the same will fetch, and to make and execute a good Deed or Deeds of the same to the Purchaser or Purchasers, he observing the Directions of the Law for the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Phymouth*, that the Money arising by said Sale, together with the Interest thereof, be paid to said Minors in Proportion to their Interest in said Land, as they shall respectively arrive at full Age.

Sent up for Concurrence.

A Bill to enable the Assessors of the Town of Winchenden to collect Taxes.

Bills read.

Read the second Time.

Ordered, That the Bill be read again To-morrow at Ten o'Clock.

The Committee on the Petition of *Pierson Eaton*, and others, reported.

Report on  
Petition of  
*P. Eaton*.

Read and accepted, and *Resolved*, That the Sum of *Nineteen Shillings and six Pence* Lawful Money be paid out of the Province Treasury to each of the above-mentioned Petitioners, in full for the Service in said Petition mention'd.

Sent up for Concurrence.

A Bill for effectually preventing the Currency of the Bills of Credit of Connecticut, Rhode-Island and New-Hampshire within this Province.

Bill read.

Secretary directed.

Read the first Time, and,

*Ordered*, That the Bill be read again To-Morrow at Ten o'Clock.

Upon a Motion, *Ordered*, That the Secretary be directed to lay on the Table the Bill to enable the Inhabitants of *Newbury-Port* to raise Monies, &c.

The Secretary laid the same on the Table accordingly.

Upon a Motion, *Ordered*, That Mr. *Greenleaf* carry said Bill up to the honorable Board for their Concurrence in an Amendment thereon.

Who returned that he had done accordingly.

Upon a Motion, *Ordered*, That the Petition of *Henry Young Brown*, be recommitted.

Upon a Motion, *Ordered*, That Col. *Ward* be of the Committee on the Petition of *John Worthington*, Esq; in the Room of Col. *Murray*, Absent.

Upon a Motion, *Ordered*, That the Petition of *Benjamin Prescott*, Esq; be reviv'd, and that the Consideration thereof be refer'd to the May Session.

Petition of Thomas Smith.

A Petition of *Thomas Smith*, in Behalf of the first Parish in *Falmouth*, representing the Inconveniencies that may attend the carrying a certain Resolve of this Court, pass'd in the present Session into Execution; and praying the Consideration of the Court thereon.

Read and *Ordered*, That Brigadier *Prebble* consider the Petition and report.

Bills read.

A Bill for altering the Times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the Province.

Read the first Time, and,

*Ordered*, That the Bill be read again on Tuesday next, at Ten o'Clock.

A Bill for altering the Times of holding the Superior Court in the several Counties in the Province. Read a first Time.

*Ordered*, That this Bill be read again on Tuesday next Ten o'Clock.

Then the House voted to adjourn till To-Morrow Nine o'Clock; and the Clerk declared the Adjournment, being directed so to do by a previous Vote.

SABBATI 14 Die Aprilis, A. D. 1770.

Report on Petition of Bela Lincoln.

THE Committee on the Petition of *Bela Lincoln*, reported.

T Read and not accepted.

Ordered, That the Petition and Report lie on the Table.

Report on Petition of Thomas Smith.

The Committee on the Petition of *Thomas Smith*, reported:

Read and accepted, and *Ordered*, That all Proceedings in Consequence of a Resolve of the General Court mentioned in the Petition, be stay'd as fully as if it had not been, till the second Wednesday of the next sitting of the General Court; at which Time the first Parish may be heard upon said Petition of *Cape-Elizabeth*, if they

they see fit, to shew Cause, if any they have, why said Resolve should not be revers'd. Sent up for Concurrence.

A Bill for effectually preventing the Currency of the Bills of Credit of Connecticut, Rhode-Island and New-Hampshire, within this Province. Bills read.

Read again, and committed to Major Hawley, Mr. Strong, and Brigadier Ruggles, for Amendments.

A Bill for reviving and continuing sundry Laws expired and near expiring.

Read the third Time, and pass'd to be engross'd.

The Committee on the Petition of the Overseers of Medway, reported.

Report on  
Petition of  
Overseers of  
Medway.

Read and accepted, and Resolved, That there be now paid out of the public Treasury, the Sum of *four Pounds fifteen Shillings and six Pence*, to the Overseers of the Poor of the Town of Medway, for what they have expended towards the Support of *John Williams*, a transient Person, 'till the 15th of *March* last; and that he be transported assoon as may be to Great-Britain, at the Charge of this Province, under the Direction of the Overseers of the said Town of Medway.

Sent up for Concurrence.

The Committee on the Petition of the Rev. Mr. *Stephen Badger*, reported.

Report on  
Petition of  
Rev. S. Badger.

Read and accepted, and Resolved, That there be allowed and paid out of the public Treasury to the Rev. Mr. *Stephen Badger*, for the Use of *Eunice Spywood*, the Sum of *nine Pounds fifteen Shillings*, for Boarding and taking Care of *Sarah Wampsquam*, an aged Indian Woman, thirty-nine Weeks at *five Shillings* per Week, from the 13th Day of *July* last to the 12th Day of *April* Instant; it not appearing to this House that she is an Inhabitant of any Town or District in this Province.

Sent up for Concurrence.

A Petition of *Mary Putnam*, praying to be empowered to sell certain Land therein mention'd.

Petition of  
*Mary Putnam*.

Read and committed to the Committee for the Sale of Lands.

A Petition of the South Part of *Westfield*, praying to be made a District.

Petition of  
South Part of  
*Westfield*.

Read and the Petitioners have Leave to bring in a Bill.

The Committee on the Petition of *John Asbley*, Esq; reported.

Report on  
Petition of  
*John Asbley*.

Ordered, That the further Consideration of the Petition be accordingly referr'd to the May Session.

The Bill for preventing the Currency of the Bills of Credit of Connecticut, Rhode-Island & New-Hampshire within this Province. Bill read.

Read a third Time with Amendments, and pass'd a Concurrence to be engross'd.

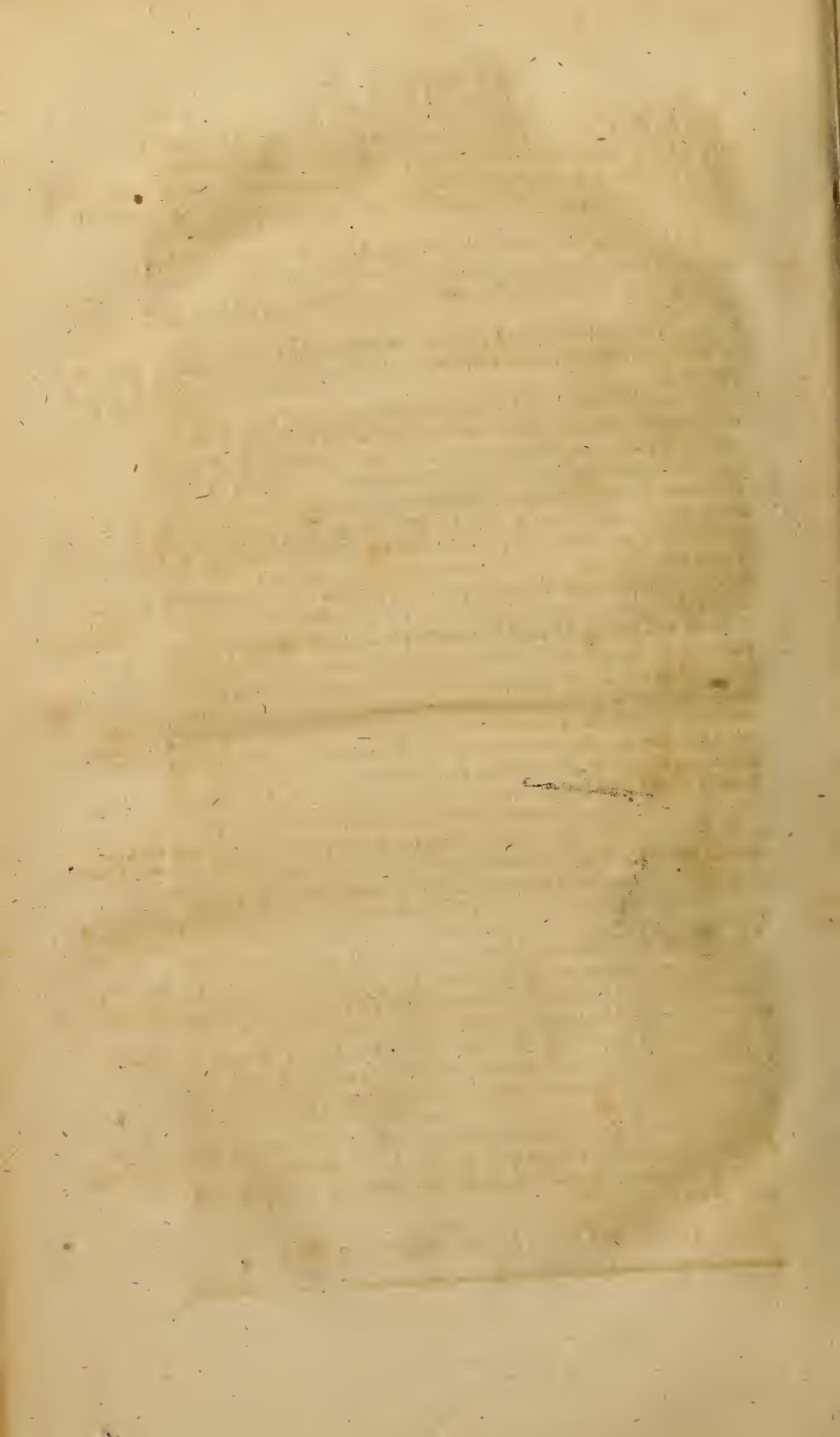
A Petition of the Towns of *Bridgwater*, *Middleborough* and *Halifax*, praying for a Repeal of an Act therein mention'd.

Petition of  
Towns of  
*Bridgwater &c*

Read and committed to Mr. *Nye*, Capt. *Wood* of *Boxford*, and Capt. *Clay*.

Then the House adjourn'd 'till Monday next, Ten o'Clock,





# V O T E S

Of the Honorable House of Representatives.

LUNÆ 16 Die Aprilis, A. D. 1770.

THE Committee on the Petition of *Alexander Kirkwood*, reported. Report on  
Petition of  
*Alex. Kirkwood*

A Bill Read and accepted, and *Resolved*, That there be paid out of the Public Treasury to the Petitioner *Alexander Kirkwood*, the Sum of *Twenty Pounds fifteen Shillings and four Pence*, being the Interest of the within mention'd Notes from the 20th of *October* to the 20th of *June*, it being heretofore stop'd by Order of Court.

A Petition of *Catharine Maxwell*, of *Middleborough*, representing that she is in indigent Circumstances, and praying the Relief of this Court. Petition of  
*Ca. Maxwell*

Read, and the Petitioner had Leave to withdraw the Petition.

A Bill in Addition to an Act of the 11th of William the Third, intituled an Act for suppressing and punishing Rogues, &c. Bill read.

Read the first Time.

Ordered, That the Bill be read again at Four o'Clock.

The Order of Council on the Petition of *Henry Young Brown*, brought down April 11: Order of  
Council on  
Petition of  
*H. Y. Brown*,  
bro't down.

Read and non-concurr'd, and the House adhere to their own Vote with Amendment at A. Sent up for Concurrence.

The Committee on the Petition of *Abigail Mason*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make and execute a good Deed of Bargain and Sale of the Land in the Petition mention'd, to the said *Samuel Mason*, upon his paying the Remainder of the Purchase Money not paid to her late Husband *John Mason*, deceased, according to the Bargain by them made. Always provided that the said *Abigail* the Petitioner shall first give sufficient Security to the Judge of Probate for the County of *Cumberland*, duly to account for the same, for the Use and Benefit of the Heirs at Law of the said *John Mason*, deceased. Report on  
Petition of  
*Abigail Mason*.

Sent up for Concurrence.

Report on  
Petition of  
*Anna Munro*.

The Committee on the Petition of *Anna Munro*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make Sale of the Land and Building within-mentioned, for the most the same will fetch, and make and execute a good Deed or Deeds of the same, to the Purchaser or Purchasers, she observing the Direction of the Law relating to the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Middlesex*, that one third Part of the Monies arising by said Sale, be put to Interest for the Benefit of the Widow of the deceas'd, in Lieu of her Right or Third in the Premises, during her natural Life; and the Remainder, after the just Debts of said deceas'd are paid, to be put to Interest for the Benefit of the Children; and that each Child's Proportion of Principal and Interest, be paid to them, as they shall respectively come of Age. And at the Decease of said Widow, each Child's Proportion of the other Third, shall be divided to and among them or their legal Representatives, according to the Direction of the Law.

Sent up for Concurrence.

Report on  
Petition of  
*J. Treadwell*.

The Committee on the Petition of the Rev. Mr. *John Treadwell*, and others, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Rev. Mr. *John Treadwell*, the present Minister of said Parish, and the other Petitioners, a Committee of the said Parish, or the major Part of said Committee, be and hereby are fully empowered to make Sale of the Piece of Meadow in their Petition mentioned, for the most it will fetch, and execute a good and sufficient Deed or Deeds of the same, to the Purchaser or Purchasers, and their Heirs for ever. And that the Petitioners be and hereby are empowered and directed to apply the Proceeds of said Sale to the purchasing as much Salt-Marsh as the same will purchase; which Salt-Marsh so purchased, shall be and remain hereafter to and for the Use of the Ministry, in the same Manner as the aforesaid Meadow would have been. *Always Provided*, That the said Committee shall be under the Direction of, and accountable to the first Parish in *Lynn*, in the Execution of their Trust.

Sent up for Concurrence.

Report on  
Petition of  
*J. Kirkwood*.

The Committee on the Petition of *James Kirkwood*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is fully empowered in his said Capacity to make Sale of the Minors Interest in the Land within mention'd, for the most it will fetch, and execute a good Deed thereof to the Purchaser, he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving sufficient Security to the Judge of Probate for the County of *Suffolk*, that the Money arising by said Sale, with the Interest thereof, be paid to said Minor, when she shall arrive at full Age.

Sent up for Concurrence.

Report on  
Petition of  
*N. Simmons*.

The Committee on the Petition of *Nathan Simmons*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make Sale  
of



of the Real Estate of said Deceased, and to make and execute a good Deed or Deeds thereof, he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Bristol*, that the Proceeds of the Sale be apply'd for the Purposes mentioned.

Sent up for Concurrence.

## Post-Meridiem.

A Petition of *Mary Hamblin*, praying to be empowered to make Sale of a Real Estate therein mentioned. Petition of *Mary Hamblin*.

Read and dismiss'd.

The Petition of Capt. *Joseph Root*, enter'd July 8, 1769.

Read and reviv'd.

Petition of *Joseph Root* reviv'd.

Ordered, That the Consideration of this Petition be referr'd to the next *May* Session.

The Committee on the Petition of *Mary Putman*, reported.

Read and accepted, and Resolved, That the Prayer be granted, and that the Petitioner be and she hereby is empowered to make Sale of all the Real Estate in her Petition mentioned, she observing the Rules and Directions of the Law for the Sale of Real Estates by Executors and Administrators; and that she be enabled to make good and sufficient Deed or Deeds thereof, first giving sufficient Security to the Judge of Probate for the County of *Worcester*, that the Proceeds of said Sale shall be apply'd as follows, viz. that the Interest of one third Part thereof be reserv'd to be annually allow'd to the Widow of the Deceased, in Lieu of her Dower during her natural Life, and after her Decease to be divided among the Heirs at Law of the said *John Putman*, deceased, or their legal Representatives; and that the other two Thirds thereof be apply'd first for the Payment of the Debts of the Deceased, which the Personal Estate was not sufficient to pay, and that the Residue thereof be put to Interest for the Benefit of the Children of the said Deceased.

Report on Petition of *Mary Putman*.

Sent up for Concurrence.

A Bill in Addition to an Act for suppressing and punishing Rogues, &c. Bill read.

Read the second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Then the House adjourn'd till To-Morrow Morning Nine o'Clock.

MARTIS, 17 Die Aprilis, A. D. 1770.

\*\*\* Petition of *David Ingersol*, Esq; praying a Confirmation  
 \*\*\* A \*\*\* of his Title to a Tract of Land lying in *Sheffield*, and  
 \*\*\* formerly belonging to the Indians of *Stockbridge*, which  
 the Petitioner purchas'd of a Committee of the General  
 Court in 1756.

Petition of *D. Ingersol*, Esq;

Read and Ordered, That Mr. *Phillips*, Col. *Gerrish*, and Mr. *Hall*, consider this Petition and report.

A

Bill read.

A Bill to enable the *Assessors of the Town of Winchenden* to collect Taxes.

Read the third Time, and pass'd to be engross'd.

Upon a Motion made, *Resolved*, That his Honor the Lieutenant Governor and Commander in Chief be and he hereby is desired if he shall think proper to give Directions that the first Regiment of Militia in the County of *Essex*, be furnish'd with two suitable Field Pieces belonging to the Province.

Sent up for Concurrence.

Bill read.

A Bill for determining the Times for holding the Superior Court in the several Counties.

Read the second and the third Time, and pass'd a Concurrence to be engross'd with Amendments.

Sent up for Concurrence.

Report on  
Petition of  
*Ch. Goodrich*.

The Committee on the Petition of *Charles Goodrich*, reported.  
Read and Ordered to lie.

Upon a Motion made, *Ordered*, That Col. *Gerrish* be of the Committee on Mr. *Bollan's* Letter, in the Room of Col. *Otis* who is absent.

Petition of  
*David Rowe*  
bro't down.

*James Russell*, Esq; brought down the Petition of *David Rowe*, and a Report of a Committee thereon.

Pass'd in Council, viz. In Council, April 17, 1770.

Read and concur'd with Amendment at A.

Sent down for Concurrence. Read and concur'd.

Report on  
Petition of  
*P. Woodbury &c*

The Committee on the Petition of *Peter Woodbury*, and others, reported.

Read and accepted, and *Resolved*, That the Prayer of the within Petition be so far granted, that a further Time of Eighteen Months be allowed the Petitioner to obtain the King's Approbation.

Sent up for Concurrence.

Petition of  
*H. Bromfield*.

A Petition of *Henry Bromfield*, praying to be empowered to make Sale of certain Real Estate therein mentioned.

Read and committed to the Committee for the Sale of Lands.

*Thomas Cushing*, Esq; the Speaker of the House, being necessarily absent by Reason of Sickness, it was mov'd that a Speaker Pro Tempore be now chosen, and the Question being put, it pass'd in the Affirmative?

Upon a Motion made, *Ordered*, That Capt. *Darby*, Mr. *Pickering* and Mr. *Spooner*, be a Committee to count and sort the Votes for a Speaker Pro Tempore.

Speaker Pro  
Tempore chose

The House then proceeded to bring in their Votes for a Speaker Pro Tempore, and the Committee having counted and sorted the same, reported that *JOHN HANCOCK*, Esq; was chosen by a large Majority.

Upon a Motion made, *Ordered*, That Col. *Williams* of *Hatfield*, Brigadier *Prebble*, Mr. *Durfee*, Mr. *Sanders* and Mr. *Spooner*, be a Committee to wait on his Honor the Lieutenant Governor, and acquaint him, that the House have made Choice of *John Hancock*, Esq; to be Speaker Pro Tempore, during the necessary Absence of

*Thomas*

*Thomas Cushing*, Esq; by Reason of Sickness, and that they are ready to present Mr. *Hancock* to his Honor for his Approbation, agreeable to the Direction of the Royal Explanatory Charter.

A Petition of *Solomon Lombard*, in Behalf of the Town of *Gorham*, praying that the Taxes laid on said Town in the Years 1761, 1762 and 1763, may be remitted to them and laid on those Towns which were eas'd by said Taxes being laid on the Town of *Gorham*. Petition of  
*Selo. Lombard.*

Read and Ordered, That the Petition of *Solomon Lombard*, enter'd June 1763, be reviv'd, and that the several Towns in the County of *Cumberland* be notified thereof, and that Mr. *Lombard* bring in a Resolve accordingly.

*John Bradbury*, Esq; brought down the Petition of *South-Hadley*, and the Papers accompanying the same, and laid them on the Table

### *Post-Meridiem.*

Upon the Petition of *Simeon Strong*, Esq; in Behalf of the District of *South-Hadley*, the following Resolve pass'd : Resolve on  
Petition of  
*S. Strong, Esq;*

*Whereas the Sum of Ninety-four Pounds one Shilling and two Pence, was laid upon the District of South-Hadley as their Proportion of the Province Tax for the Year 1769, and the Treasurer accordingly issued his Warrant directed to the Selectmen or Assessors of said District to apportion the same : And whereas the Selectmen or Assessors have apportioned but Fifty-three Pounds eight Shillings and five Pence, Part of the aforesaid Sum of Ninety-four Pounds one Shilling and two Pence, assigning for Reason that Forty Pounds twelve Shillings and nine Pence, which compleats the Sum of Ninety-four Pounds one Shilling and two Pence, ought by Law to have been laid upon Granby : Therefore Ordered, That the Treasurer discharge the District of South-Hadley of the Sum of Forty Pounds twelve Shillings and nine Pence, and issue out his Warrant to the Assessors of the Town of Granby, requiring them to assess the Inhabitants thereof the aforesaid Sum of Forty Pounds twelve Shillings and nine Pence, which Warrants shall be good to all Intents and Purposes as if they were taxed that Sum in the Tax Act that passed last June. And it is further Ordered, That whereas the Court of General Sessions of the Peace for the County of Hampshire, have likewise laid the Proportion of the County last assess'd on South-Hadley, which ought to have been laid on the Town of Granby, the said Court be and hereby is empower'd at any Session hereafter, to make such Apportionment of County Rates on said Town and District, as to correct the former Mistake and do Justice between them.*

Sent up for Concurrence.

The Committee on the Petition of *Stephen Davis*, reported.

Read and accepted, and Resolved, That the Prayer of the foregoing Petition be granted so far as that the Petitioner be and he hereby accordingly is in his said Capacity fully empowered to make Sale of the said Minor's full Share in the Estate aforesaid (excepting the Widow's Thirds) for the most the same will fetch ; he observ-

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Report on  
Petition of  
*Ste. Davis.*

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ing the Rules and Directions of the Law for the Sale of Real Estates by Executors and Administrators, and first giving sufficient Security to the Judge of Probate for the County of *Middlesex*, that he will apply the Proceeds of said Sale to the Payment of such Parts of the Debts and Legacies of the said Minor's deceased Father, as the said Minor is held to pay; and the Overplus (if any be) he will duly account for to the said Minor's Benefit.

Sent up for Concurrence.

Petition of  
Towns of  
*Stow, &c.*

A Petition of the Towns of *Stow, Sudbury, Concord and Acton*, praying that an Order of this Court may pass to prevent the Distraction of Pidgeons, from the Month of *April* to *July* annually.

Read and Ordered, That Capt. *Sheaffe*, Mr. *Gardner* of *Stow*, and Capt. *Fuller*, bring in a Bill for the Purpose.

Message to  
the Board.

Upon a Motion, Ordered, That Col. *Noyes* go up to the honorable Board to enquire whether they have pass'd upon the Petition of *Thankful Putnam*.

*Samuel Dexter*, Esq; came down from the honorable Board to acquaint the House that the Board had pass'd upon the Petition of *Thankful Putnam*, and non-concur'd the Vote of this House thereon.

Bill engross'd.

An engross'd Bill *effectually* to prevent the Currency of the Bills of Credit of the Governments of Connecticut, Rhode-Island and New-Hampshire.

Read and pass'd to be enacted.

Message to  
the Board.

Upon a Motion, Ordered, That Col. *Noyes* go up to the honorable Board, to desire they would send down the Petition of *Thankful Putnam*.

Who returned that he had delivered the Message.

*William Sever*, Esq; bro't down the Petition of *Thankful Putnam*, and laid the same on the Table.

Col. *Williams* from the Committee appointed in the Forenoon to wait on his Honor the Lieutenant Governor, reported that they had waited on his Honor accordingly, and delivered the Message of the House.

Upon a Motion, Ordered, That Col. *Warren*, Capt. *Sheaffe*, Major *Hawley*, Capt. *Clay* and Brigadier *Prebble*, be a Committee to wait on his Honor the Lieutenant Governor, and present to him *John Hancock*, Esq; elected Speaker Pro Tempore, for his Approbation, agreeable to the Direction of the Royal Explanatory Charter.

Who returned that they had waited on his Honor, and presented Mr. *Hancock* to him accordingly.

A Message from his Honor the Lieutenant Governor by the Secretary.

Gentlemen of the House of Representatives,

Message to his  
Honor.

*YOU* having signified to me by a Message that *Thomas Cushing*, Esq; your Speaker is necessarily absent by Reason of Sickness, and that you have made Choice of *John Hancock*, Esq; to be Speaker Pro Tempore, for the present Session, and during the Indisposition of the said *Thomas Cushing*, and having presented him to me for my Approbation, pursuant to the Direction of the Royal Explanatory Charter;

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By Virtue of the Authority given me by the said Royal Explanatory Charter, I disapprove of the Choice you have made.

Council-Chamber,  
Cambridge, April 17, 1770.

**T. Hutchinson.**

Then the House Voted to adjourn till To-morrow Morning Nine o'Clock, and the Clerk by Order declared the House adjourn'd accordingly.

MERCURI, Die 18 Aprilis, A. D. 1770.

Bill to incorporate the District of Westminster into a Town Bill read.  
A by the Name of Westminster.

Read the first, second and third Time, and pass'd to be engross'd.

William Sever, Esq; brought down a Bill for preventing and punishing Burglary. Bill bro't down.

Pass'd in Council, viz. In Council, April 17, 1770.

Read the first and second Time, and pass'd to be engross'd.

Sent down for Concurrence.

William Sever, Esq; came down from the honorable Board to desire that the Petition of *Thankful Putnam* may be sent up.

Upon a Motion made, the House again proceeded to the Choice of a Speaker Pro Tempore, during the bodily Indisposition of *Thomas Cushing*, Esq; and the Committee appointed to sort and count the Votes reported that Col. WARREN was chosen.

Upon a Motion, Ordered, That Major *Hawley*, Col. *Williams* of Roxbury, Mr. *Strong*, Mr. *Hall*, and Mr. *Sanders*, wait on his Honor the Lieutenant Governor, and acquaint him that the House have made Choice of *James Warren*, Esq; Speaker Pro Tempore during the bodily Indisposition of *Thomas Cushing*, Esq; and are ready to present him to his Honor for his Approbation. Message to his Honor.

Who returned that his Honor would be immediately in the Chair to receive the Presentation of *James Warren*, Esq; elected Speaker Pro Tempore.

Ordered, That Mr. *Hancock*, Major *Davis*, Capt. *Dix*, Major *Humphrey*, and Col. *Ward*, be a Committee to present *James Warren*, Esq; to his Honor the Lieutenant Governor for his Approbation of him as Speaker Pro Tempore.

Who returned that they had waited on his Honor accordingly, and presented to him *James Warren*, Esq; elected Speaker Pro Tempore.

A Message from his Honor the Lieutenant Governor by the Secretary.

Gentlemen of the House of Representatives,

YOU having signified to me by a Message that *Thomas Cushing*, Esq; your Speaker is necessarily absent by Reason of Sicknefs, and that you have made Choice of *James Warren*, Esq; to be Speaker Pro Tempore for the present Session and during the Indisposition of the said *Thomas Cushing*, Esq; and having presented him to me for my

Message from His Honor.



my Approbation, pursuant to the Direction of the Royal Explanatory Charter :

By Virtue of the Authority given me by the said Royal Explanatory Charter, I approve of the Choice you have made.

Council-Chamber,  
Cambridge, 17th April, 1770.

**T. Hutchinson.**

An Engros'd Bill for erecting the North Precinct in the Town of Norton, into a District by the Name of —.

Read and pass'd to be enacted.

A Motion was made to proceed to the Order of the Day, and consider of Grants to the Civil Officers of the Province.

It was then moved that the Vote of this House referring a Grant for the Support of his Honor the Lieutenant Governor 'till To-Morrow, be reconsidered, and that the House now enter into the Consideration thereof—And the Question being put,

It pass'd in the Negative.

Upon a Motion, Ordered, That the Consideration of proper Grants to Civil Officers, be further referr'd 'till To-Morrow Morning Eleven o'Clock.

Petition of  
*Japh. Bicknal*  
bro't down.

*James Pitts*, Esq; brought down the Petition of *Japheth Bicknal*. Pass'd in Council, viz. In Council, 18th April, 1770.

Read and accepted, and Resolved, That the Petition of *Japheth Bicknal*, and the Answer of *Thomas Cobb*, be refer'd to the third Wednesday of the next Session of the General Court.

Sent down for Concurrence. Read and concur'd.

## Post-Meridiem.

Bill read.

A Bill for preventing and punishing Burglary.

Read the first Time, and Ordered, That the Bill be read again at Five o'Clock, P. M.

Report on  
Petition of  
*Bela Lincoln*.

The Report on the Petition of *Bela Lincoln*.

Read again, and not accepted, and the Petitioner had Leave to withdraw his Petition.

Petition of  
*Wm. Whitwell*.

The Petition of *William Whitwell*, praying that an Encouragement may be giving to the raising Mulberry Trees in this Province, for Reasons mention'd.

Read and referred to next May Session for Consideration.

Report on  
Petition of  
*John Cotton*.

The Committee on the Petition of *John Cotton*, again reported.

Read and not accepted, and Mr. *Remington*, Col. *Whitcomb*, Major *Gallison*, Mr. *Bigelow* of *Worcester*, Major *Doan*, Col. *Ward*, Dr. *Wheaton*, Mr. *Sprague*, and Mr. *Gardner* of *Stow*, were appointed a Committee further to consider the Petition and report.

Bill bro't down.

*John Bradbury*, Esq; brought down the Bill for reviving and continuing sundry Laws.

Pass'd in Council, viz. In Council, April 16, 1770.

Read a first Time. 18th Read a second Time, and pass'd a Concurrence with Amendments at A. & B.

Sent down for Concurrence.

*James*



*James Russell*, Esq; brought down the Petition of *Richard King*.  
 Pass'd in Council, viz. In Council *April 18, 1770.*

Petition of  
*Richard King*  
 bro't down.

Read again, and it appearing that a Copy of this Petition had been left at the Dwelling House of *Royall Tyler*, the adverse Party, in Consequence of the Order of this Court on the 28th of *March* last, and no Answer being given thereto :

*Resolved*, That the Prayer be granted, and that the Justices of his Majesty's Superior Court of Judicature, be and they hereby are authorized at their next Term in the County of *York*, or at any Term whatsoever held within the Province before the said Term in the County of *York*, to recommit the said Cause to the Referees mentioned in the said Petition ; that if they see Cause, they may alter their said Report ; which the said Court may, if they see fit, receive, and make up Judgment and award Execution accordingly. And that the Execution on the Judgment already obtained be stayed in the mean Time.

Sent down for Concurrence.

The Committee on the Petition of *David Ingersol*, reported, that the Petitioner notify *John Adams*, and others, mention'd in the Petition, by serving said *Adams*, &c. with a Copy thereof, that they shew Cause on the second Wednesday of the next Sitting of the General Court, why the Prayer should not be granted.

Petition of  
 Towns of  
*Dav. Ingersol.*

Read and accepted, and *Resolved* accordingly.

Sent up for Concurrence.

A Petition of *Joshua Nickelson*, of *Harwich*, praying a Consideration for taking Care of two Paupers mention'd in the Petition.

Petition of  
*J. Nickelson.*

Read and committed to Capt. *Darby*, Mr. *Phillips*, and Mr. *Hancock*.

Then the House adjourn'd till To-Morrow Morning Nine o'Clock.

JOVIS, 19 Die Aprilis, A. D. 1770.

THE Committee on the Petition of *David Fick*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is fully authorized and empowered in his said Capacity as Administrator to make Sale of the Lands mention'd, for the most the same will fetch ; and to make and execute a good Deed or Deeds of the same to the Purchaser or Purchasers, he observing the Rules of the Law respecting the Sale of Real Estates by Executors and Administrators, and giving sufficient Caution to the Judge of Probate for the County of *Middlesex*, that the Money arising by said Sale be apply'd for the Purposes mention'd in the Petition.

Report on  
 Petition of  
*David Fick.*

Sent up for Concurrence.

The Committee on the Petition of *Ezekiel Brigham*, reported.

Read and accepted, and *Resolved*, That the Prayer be so far granted, as that the Petitioner be & hereby is accordingly empowered in his said Capacity, to make Sale of the whole of the Real Estate mention'd in his Petition, which did belong to the said *Thomas Brigham*,

Report on  
 Petition of  
*Ez. Brigham.*

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*Brigham*, deceased, for the most the same will fetch, observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and first compounding with the said *Sarah Brigham* for her Annuity by and under the Advice and Direction of the Judge of Probate for the County of *Worcester*, and giving sufficient Security to the said Judge that he will apply the Proceeds of the said Sale for the Payment of the Annuity aforesaid ; and also for the Payment of the just Debts of the said *Thomas Brigham*, deceased, (which the personal Estate was not sufficient to pay) and that the Residue thereof be divided to and among the Heirs of the Deceased, agreeable to Law. Sent up for Concurrence.

Petition of,  
*El. Bartlet.*

The Petition of *Elizabeth Bartlet*, enter'd June 28, 1769.

Bill read.

Read and committed to the Committee for the Sale of Lands.

The Bill for *reviving and continuing sundry Laws expired and near expiring.*

Pass'd in Council, and bro't down Yesterday for Concurrence.

Read and non-concur'd in Amendment at A, and concur'd in Amendment at B. Sent up.

Petition of  
*Wm. Deming.*

A Petition of *William Deming*, Physician ; praying Allowance for Medicine and Attendance to divers poor Indians in *Natick*.

Read and Ordered, That *Dr. Holten*, *Dr. Wheaten*, and *Capt. Herrick*, consider the Petition and report.

Report on  
Petition of  
*Cha. Goodrich.*

The Committee on the Petition of *Capt. Charles Goodrich*, in Behalf of the Town of *Pitsfield*, reported.

Read and Ordered, That the Petitioner notify the Non-resident Proprietors of the Substance of the Petition, to shew Cause on the third Tuesday of next Session, why the Prayer should not be granted.

Sent up for Concurrence.

The House enter'd into the Consideration of a Grant to his Majesty for the Support of his Honor the Lieutenant Governor, and after Debate it was mov'd, that the Sum of *Seven Hundred Pounds* be granted to his Honor the Lieutenant Governor for his past Services, and to enable him further to carry on the Affairs of this Government, and the Question being put, pass'd in the Negative ?

## *Post-Meridiem.*

The House took into further Consideration a suitable Grant for the Support of his Honor the Lieutenant Governor ; and it being moved that there be granted to his Honor the Lieutenant Governor the Sum of *Six Hundred and fifty Pounds* for his past Services, and to enable him further to carry on the Affairs of this Government the remaining Part of the Year ; the Question was put, and pass'd in the Negative.

Grant to his  
Honor.

Then it was moved, That the Sum of *Five Hundred and fifty Pounds* be granted to his Honor the Lieutenant Governor for his past Services, and to enable him further to carry on the Affairs of this Government. And the Question being put, it pass'd in the Affirmative ? And.

*Mr. Strong*, Brigadier *Ruggles*, and *Mr. Pickering* were appointed to prepare and bring in a Bill for the same Purpose.



A Petition of *Edward Sheaffe*, Esq; praying for a Compensation for Services he perform'd by Order and Direction of the Committee of Valuation, appointed by the House of Representatives in 1768. Petition of *E. Sheaffe*, Esq;

Read and *Ordered*, That Major *Humphrey*, Mr. *Spooner*, Mr. *Gardner*, Capt. *Fuller* and Mr. *Hearsey*, consider the Petition and report.

The House proceeded to consider of proper Grants to the Civil Officers : Whereupon,

*Resolved*, That the Sum of *eight Hundred Pounds* be granted and allowed out of the public Treasury to the Honorable the Justices of the Superior Court of Judicature, Court of Assize and General Goal Delivery, for the faithful Discharge of their Trust, for one Year, ending the first Day of *January* last. Grant to the Justices of the Sup. Court.

Sent up for Concurrence.

*Resolved*, That the Sum of *two Hundred Pounds* be granted and allowed to be paid out of the public Treasury, to the Reverend Mr. *Samuel Locke*, President of *Harvard-College*, over and above the Rents of *Massachusetts-Hall*, for his Services for one Year, commencing the 21st of *March* last, to be paid Quarterly. President.

Sent up for Concurrence.

Mr. *Hancock*, upon his Request, had Leave of Absence To-morrow.

Then the House adjourn'd 'till To-morrow Morning Nine o'Clock.

VENERIS 20 *Die Aprilis*, A. D. 1770.

\*\*\* Petition of *Edward Jewett*, praying for a Re-hearing of a Cause therein mentioned. Petition of *Ed. Jewett*.

\*\*\* Read and committed to Col. *Noyes*, Mr. *Gardner*, and Major *Humphrey*, to consider and report.

A Petition of *Samuel Dexter*, Esq; and others, Commissioners of the Land-Bank, praying for an Allowance for their Trouble and Expences, mentioned in the Petition. Petition of *S. Dexter*, Esq;

Read and committed to Mr. *Sumner*, Mr. *Bragdon*, Col. *Ward*, Mr. *Gardner*, and Capt. *Mellen*.

The Committee on the Petition of *Thomas Smith*, jun. reported.

Read, and the Petitioner had Leave to withdraw the Petition.

A Bill to prevent the Obstruction of Fish in Monatiquot River in Braintree. Bills read.

Read the first and second Time, and *Ordered*, That the Bill have the third Reading at Four o'Clock this Afternoon.

A Bill for granting the Sum of Five Hundred and fifty Pounds for the Support of his Honor the Lieutenant Governor.

Read the first Time, and *Ordered*, That the Bill have the second Reading at Three o'Clock, P. M.

The Committee on the Petition of *Elizabeth Bartlett*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted so far as that the Petitioner be and she hereby is empowered to sell all the Real Estate in her Petition mentioned, for the most the same will fetch, and make and execute a good and sufficient Deed Report on Petition of *Eliz. Bartlett*.



Deed or Deeds thereof, the observing the Rules of the Law respecting the Sale of Real Estates by Executors and Administrators, and giving sufficient Caution to the Judge of Probate for the County of *Plymouth*, that the Proceeds of said Sale shall be apply'd as follows, viz. the Interest of one Third Part thereof shall be reserved to the Use of the Widow of the said Deceased during her natural Life, in Lieu of her Dower, and after her Decease to be paid to the Heirs at Law of said Deceased, or their legal Representatives; and that the other two Thirds thereof shall be put to Interest for the Benefit of the Children of the said Deceased, to be divided to and among them agreeable to Law.

Sent up for Concurrence.

Report on  
Petition of  
*Robert Butler*.

The Committee on the Petition of *Robert Bartlet*, reported.

Read, and thereupon *Resolved*, That the Prayer of the Petitioner be granted, and that the Petitioner be and hereby is empowered in his said Capacity, to make Sale of the Real Estate mentioned in this Petition, together with the Reversion of the Chamber that is set to said Widow as Part of her Right of Dower, for the most the same will fetch, and make and execute a good Deed of the same to the Purchaser, he observing the Rule of the Law for the Sale of Real Estates by Executors and Administrators; and that the Money arising by said Sale shall be so much of it apply'd for the Discharge of the said Deceased's just Debts as shall be necessary; and the remaining Part with the Interest, to be paid to the lawful Heirs of the said Deceased, or their legal Representatives, when they shall severally arrive to lawful Age.

Sent up for Concurrence.

Report on  
Petition of  
*Ed. Jewett*.

The Committee on the Petition of *Edward Jewett*, reported.

Read and *Resolved*, That the Prayer be so far granted, as that the Petitioner notify the adverse Party by serving him with an attested Copy of the Petition, to shew Cause on the first Tuesday of next Session, why the Prayer should not be granted.

Sent up for Concurrence.

Report on  
Petition of  
*Elijah Bond*.

The Committee on the Petition of *Elijah Bond*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be and hereby is empowered to make Sale of so much of the Real Estate mentioned in the Petition, as will raise the Sum of *Four Hundred Pounds*, it being Sold for the most it will fetch, he observing the Directions of the Law for the Sale of Real Estates by Executors and Administrators; and to make and execute a good Deed or Deeds in Law to the Purchaser or Purchasers thereof. *Provided*, he give Bond to the Judge of Probate for the County of *Middlesex*, that the Money arising by said Sale be applied to the Payment of the Debts mentioned in said Petition, and the Remainder, if any, be paid to the legal Heirs of the aforesaid *Kember*.

Sent up for Concurrence.

Petition of  
*B. Lincoln, Esq.*

A Petition of *Bela Lincoln*, praying that the Court of General Sessions of the Peace for the County of *Worcester* may be empowered to appoint a Jury to estimate the Damage by him sustain'd by the running a Road through his Land as in the Petition mention'd; the Time by Law being elapsed, notwithstanding.

Read

Read and *Ordered*, That Mr. *Wood* of *Boxford*, Col. *Williams* of *Roxbury*, and Mr. *Gardner* of *Stow*, consider the Petition and report.

The Committee on the Petition of *Peter Bray* and *Mary Bray*, reported.

Report on  
Petition of  
P. & M. Bray.

Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioners, together with *Daniel Woodward*, who is Guardian to the Children of the said *William Brown*, deceased, be and they hereby are fully empowered to make Sale of the whole of the Tract of Land and Building in the said Petition mention'd, and make and execute a good and sufficient Deed or Deeds thereof, they observing the Rules and Directions of the Law respecting the Sale of Real Estates by Executors and Administrators: *Always provided*, they shall first obtain from *Elijah Bacon* a Release of the Land which the said *Mary* heretofore sold to him; *provided also*, that they give sufficient Security to the Judge of Probate for the County of *Middlesex*, that the Proceeds of said Sale be apply'd as follows, *viz.* The Interest of one half thereof shall be allowed to the said *Mary*, who was the said *William Brown's* Widow; and after her Decease to be divided to and among the legal Heirs of the said *William Brown*, deceased, in the same Proportion as is provided in the said *William's* last Will and Testament; and that the other Part thereof shall be apply'd to the Payment of Re-purchase of that Part of said Estate, which was convey'd to the said *Elijah Bacon*; which Re-purchase shall be by and under the Advice and Direction of the said Judge of Probate; and the Tefidue thereof be apply'd to the Payment of the Deceased his just Debts, which remain unpaid; and the Overplus thereof, if any be, shall be put into the Hands of the Guardians of said Children for their Benefit, in the same Proportion as they could inherit by Force of their deceased Father's Will.

Sent up for Concurrence.

The Committee on the Petition of *Joshua Nicholson*, reported that a Committee be appointed to enquire into, and report the Place of Residence of the indigent Persons mentioned in the Petition.

Report on  
Petition of  
J. Nicholson.

*Ordered*, That Mr. *Nye*, Mr. *Sprague*, and Mr. *Pain*, be a Committee for that Purpose.

The Committee on the Petition of the Towns of *Bridgwater*, *Middleborough* and *Halifax*, reported.

Report on  
Petition of  
Towns of  
Bridgwater &c

Read, and *Resolved*, That the Petitioners serve the Town of *Taunton* with an attested Copy of this Petition, by leaving it with the Town Clerk of said *Taunton*, to shew Cause, if any they have, on the third Thursday of the next Sitting of this Court, why the Prayer of this Petition should not be granted.

Sent up for Concurrence.

The Committee on the Petition of *John Bird*, made Report.

Report on  
Petition of  
John Bird.

Read and *Resolved*, That the Prayer be granted, and that *James Foster* and *Ruth Bird*, Administrators on the Estate of *Jonathan Bird*, late of *Dorchester*, deceased, be and hereby are impowered in their said Capacity, if they see Cause, to make and execute a good Deed or Deeds of Conveyance of the Lands mentioned in said Petition; and said Deed or Deeds shall be as good and valid in Law, to all Intent and Purposes whatever, to the Petitioner, his Heirs & Assigns,



as the said *Jonathan* would have made and executed in his Life-time; it appearing to this House that the Petitioner has paid the Deceased for said Lands.

Sent up for Concurrence.

Bills read.

An engros'd Bill for altering the Times of holding the Superiour Courts.

Read and pass'd to be Enacted. Sent up.

An engros'd Bill for altering the Times of holding the Inferiour Courts of Common Pleas.

Read and pass'd to be Enacted. Sent up.

Grants to  
Civil Officers.

It was moved that the House further proceed to consider of proper Grants to the Civil Officers of the Province: Thereupon,

Secretary, £. 50

*Resolved*, That the Sum of *Fifty Pounds* be granted and allowed to be paid out of the public Treasury to the honorable *Andrew Oliver*, Esq; Secretary of this Province, for his Services for one Year ending the sixth Day of *December* last.

Sent up for Concurrence.

Secretary, £. 90

*Resolved*, That the Sum of *Ninety Pounds* be granted and allowed to be paid out of the public Treasury, to the honorable *Andrew Oliver*, Esq; Secretary of this Province, in Consideration of his extraordinary Services to the sixth Day of *December* last.

Sent up for Concurrence.

Treasurer, £. 257

*Resolved*, That the Sum of *Two Hundred and sixty-seven Pounds* be granted and allowed to be paid out of the public Treasury to the honorable *Harrison Gray*, Esq; Treasurer and Receiver General of his Majesty's Revenues of this Province for one Year's Service, ending the twenty-third Day of *December* last.

Sent up for Concurrence.

Speaker, 4s.  
per Diem.

*Resolved*, That there be granted and allowed to be paid out of the public Treasury the Sum of *four Shillings* per Diem, to the honorable *Thomas Cushing*, Esq; Speaker of this House, for every Day of his Attendance in the General Court, from the Opening of the Session on the thirty-first Day of *May* 1769, over and above his Pay as a Member of this House.

Sent up for Concurrence.

Clerk, £. 90.

*Resolved*, That there be granted and allowed to be paid out of the public Treasury, the Sum of *Ninety Pounds*, to Mr. *Samuel Adams*, for his Service as Clerk of this House during the several Sessions of the General Court in the current Year.

Sent up for Concurrence.

Hollisian Pro-  
fessor of Divi-  
nity, £. 100.

*Resolved*, That there be granted and allowed to be paid out of the public Treasury, to Mr. *Edward Wiggleworth*, Hollisian Professor of Divinity at *Harvard-College* in *Cambridge*, the Sum of *One Hundred Pounds*, as a Gratuity in Consideration of his faithful Discharge of the great and important Trust reposed in him, for one Year, ending the 25th Day of *January*.

Sent up for Concurrence.

Holl. Professor  
of Mathematicks,  
£. 100.

*Resolved*, That there be granted and allowed to be paid out of the public Treasury, to *John Winthrop*, Esq; Hollisian Professor of Mathematicks and Natural Philosophy, at *Harvard-College* in *Cambridge*, the Sum of *One Hundred Pounds*, as a Gratuity, in Consideration



Consideration of his faithful Discharge of the great and important Trust reposed in him, for one Year, ending the 13th Day of January.  
Sent up for Concurrence.

*Resolved*, That there be granted and allowed to be paid out of the public Treasury, to Mr. *Stephen Sewall*, Hancock-Professor of the Hebrew, and other Oriental Languages at *Harvard-College* in *Cambridge*, the Sum of *Forty Pounds*, as a Gratuity in Consideration of his faithful Discharge of the great and important Trust reposed in him, the last Year.  
Sent up for Concurrence.

*Resolved*, That the Sum of *Six Pounds* be allowed and paid to the Rev. Mr. *Nathaniel Appleton*, for his Services as Chaplain to the two Houses of the General Assembly during the present Session.  
Sent up for Concurrence.

*Resolved*, That there be granted and allowed to be paid out of the public Treasury, the Sum of *Fifty Pounds*, to *John Phillips*, Esq; Lieutenant of his Majesty's Garrison at *Castle-William*, in Consideration of his faithful Discharge of that Trust, for one Year, ending the 26th Day of *January* last.  
Sent up for Concurrence.

*Resolved*, That there be allowed and paid out of the public Treasury, the Sum of *Forty Pounds*, to Mr. *Stephen Hall*, Chaplain of *Castle-William*, for one Year, in Consideration of his faithful Discharge of that Trust, for one Year, ending the 25th Day of *January* last.  
Sent up for Concurrence.

*Resolved*, That there be allowed and paid out of the public Treasury, to Mr. *William Baker*, Door-keeper to his Excellency, &c. the Sum of *One Hundred Pounds*, for his Services for one Year, to be paid Quarterly.  
Sent up for Concurrence.

The Petition of *Seth Kingsberry*, brought down.

Pas'd in Council, viz. In Council, *April 19, 1770.*

Read and accepted, and *Ordered*, That the further Consideration be referred to the second Wednesday of the next Session.

Read and nonconcur'd, and *Ordered*, That the Petition be re-committed, and that Mr. *Strong* and Mr. *Leonard* be of the Committee in the Room of Capt. *Farley* and Mr. *Pickering* excus'd.

Sent up for Concurrence.

## Post-Meridiem.

Upon a Motion, *Ordered*, That Capt. *Denny*, Col. *Warren*, Capt. *Mosely*, Col. *Noyes*, and Capt. *Bradford*, be a Committee to enquire into the Services of the Commissary-General, and report.

A Bill for granting Five Hundred and Fifty Pounds for the Support of his Honor the Lieutenant Governor.  
Bills read.

Read a second and third Time, and pas'd to be enacted.

Sent up by Mr. *Hancock*, Col. *Williams* of *Roxbury*, Major *Humphrey*, Mr. *Pickering* and Capt. *Brown*.

A Bill for reviving and continuing sundry Laws expired or near expiring.  
Pas'd in Council, *April 20, 1770.*

Read, and the Board adhere to their Amendment at A, with the further Amendment at C.

Read and concur'd.

A

Petition of  
S. Winthrop Esq

A Petition of *Samuel Winthrop*, Esq; praying that he may be allowed for his Services in attending a Superior Court upon a capital Tryal at *Sherburne* in *Nantucket*, in *May* 1768.

Bill read.

Read, and the Petitioner had Leave to withdraw his Petition.

A Bill to prevent the Obstruction of Fish in *Braintree River*.

Read the third Time, and pass'd to be enacted.

Petition of  
Thank. Putnam  
bro't down.

The Petition of *Thankful Putnam*, brought down from the honorable Board. Pass'd in Council, viz. In Council April 19, 1770.

Read and concur'd with Amendment.

Sent down for Concurrence.

Read and concur'd.

The Petition of the Rev. Mr. *John Treadwell*, brought down from the honorable Board.

Petition of Rev  
J. Treadwell,  
bro't down.

Pass'd in Council, viz. In Council, April 19, 1770.

Read and concur'd with Amendment.

Sent down for Concurrence.

Read and concur'd.

Resolve on  
Petition of  
Sol. Lombard.

On the Petition of *Solomon Lombard*, Esq; Resolved, That the Petitioner notify the several Towns in the County of *Cumberland*, by serving the Clerks of said Towns with a Copy of the Petition, to shew Cause on the second Wednesday of next Session, why the Prayer should not be granted.

Then the House adjourn'd till To-Morrow Morning Nine o'Clock.

SABBATI 21 Die Aprilis, A. D. 1770.

Report on  
His Honor's  
Message.

THE Committee appointed to consider his Honor's Message of the 7th Instant, reported an Answer.

Ordered, That all the Members now in Town be enjoin'd to attend.

It was mov'd that an Order pass that this House meet this Afternoon, and Monday in the Forenoon, the usual Practice notwithstanding, and the Question being put, pass'd in the Negative.

Upon a Motion, Ordered, That when this House be next adjourn'd, it be adjourn'd till Monday Morning at Ten o'Clock.

Ordered, That the Members of this House be enjoin'd to attend punctually during the Remainder of the Session.

Then the House enter'd into the Consideration of the Report of the Committee appointed to consider his Honor's Message of the 7th Instant, and,

Ordered, That the same be considered in its several Paragraphs.

Upon a Motion, Ordered, That Mr. *Leonard*, Mr. *Hancock*, and Capt. *Sheaffe*, be a Committee to enquire into the Fact relative to the Endeavors of the Chief Justice to procure the Admission of the Troops into the Manufactory House, as mention'd in the Report now before this House; and that they wait on his Honor the late Chief Justice, and acquaint him with this Order.

Upon a Motion, Ordered, That Major *Humphrey*, Capt. *Fuller* and Capt. *Dix*, be a Committee to prepare a List of the Members Travel and Attendance, and lay it before the House.

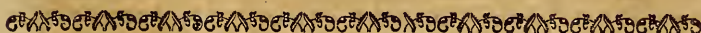
Upon a Motion, Resolved, That this House will consider of a proper Grant to *Dennys DeBerdt*, Esq; Agent of this House, on Tuesday next at Eleven o'Clock.

Then the House adjourn'd 'till Monday next, Ten o'Clock.



# V O T E S

Of the Honorable House of Representatives.



LUNÆ 23 Die Aprilis, A. D. 1770.



N engros'd Bill *to enable the Assessors of the Town of* Bill engros'd.  
*Winchendon to collect Taxes.*

Read and pass'd to be enacted.

The Vote of Council on the Petition of *Richard King*, brought down the 18th Instant.

Read and concur'd with Amendment.

Sent up.

The Committee appointed on Saturday last, to inquire into the Facts relating to the Chief Justice his endeavouring to procure the Admission of the Troops into the Manufactory House, reported a Deposition of *Stephen Greenleaf*, Esq; Sheriff of the County of *Suffolk*; also a Deposition of *John Brown*, Occupant in said Manufactory House; also a Deposition of *Thomas Young*, Physician, who were present.

Then the House enter'd into a further Debate on the Report of the Committee appointed to consider his Honor's Message of the 7th Instant.

It was mov'd, and thereupon *Ordered*, That the said Message be recommitted; and that the Committee compare the Depositions now read, with the Facts, as alledg'd in the Answer, and Report.

The Petition of *John Dunn*, brought down from the honorable Board. Pass'd in Council, viz. In Council, *April 20, 1770.*

Petition of  
*John Dunn*  
bro't down.

Read again, and it appearing that the adverse Party has not been duly notified thereof,

*Ordered*, That the Petitioner notify *John Scollay*, Esq; and *Thomas Fletcher*, by serving them with a Copy of this Petition, to shew Cause on the second Wednesday of the next Session of the General Court, why the Prayer should not be granted.

Sent down for Concurrence.

W w

Post



*Post-Meridien.*

The Committee appointed to consider his Honor's Message of the 7th Instant, reported.

Then the Question was put, Whether the House will accept the Answer to his Honor's Message of the 7th Instant, brought in by the Committee, and now before the House.

It was mov'd that the Question be decided by Yeas and Nays; and the Question thereupon being put, pass'd in the Negative.

Then the Question was put, Whether the Report of the Committee to consider his Honor's Message of the 7th Instant, be accepted? and a Poll being demanded, the said Report was accepted by a large Majority.

*Ordered*, That Mr. *Hancock*, Col. *Warren*, Major *Hawley*, Mr. *Spooner*, and Mr. *Remington*, be a Committee to wait on his Honor the Lieutenant Governor, and present to him the following Answer to his Message of the 7th Instant, viz.

*May it please your Honor,*

Answer to his  
Honor's Mes-  
sage.

THE House of Representatives have taken into due Consideration your Message of the 7th Instant, with the Papers laid before them by the Secretary, agreeable to your Direction.

We assure your Honour that we have the utmost Abhorrence of all disorderly and riotous Transactions:---It is the Disposition as well as the Duty of this House to take the most effectual Measures to discountenance them; and to strengthen and encourage the executive Officers in the Exercise of all their lawful Powers of Government. Nothing therefore shall be wanting on our Part for the promoting of these Purposes, whenever any further Steps shall appear to us to be necessary: At present it is the Opinion of the House, that the Laws now in being, duly executed, would be fully sufficient; and to add to the Severity of the Provision made by them, without an apparent and very urgent Necessity, might put into the Hands of the Civil Magistrate a Power that would be dangerous to the Rights and Liberties of the People.

When Complaints are made of Riots and Tumults, it is the Wisdom of Government, and it becomes the Representatives of the People especially, to enquire into the real Causes of them: If they arise from Oppression, as is frequently the Case, a thorough Redress of Grievances will remove the Cause, and probably put an End to the Complaint. It may justly be said of the People of this Province, that they seldom if ever have assembled in a tumultuous Manner, unless they have been oppressed: It cannot be expected that a People accustomed to the Freedom of the English Constitution will be patient, while they are under the Hand of Tyranny and arbitrary Power: They will discover their Resentment in a Manner which will naturally displease their Oppressors; and in such a Case, the severest Laws and the most rigorous Execution will be to little or no Purpose: The most effectual Method to restore Tranquility would be to remove their Burthens, and to punish all those who have been the Procurers of their Oppression.

Your

Your Honor in your Message has pointed us to an Instance, which you are pleased to call “ a very disorderly and riotous Transaction in the Town of *Gloucester* ” : But we cannot think it consistent with the Justice of this House, to come into Measures which may imply a Censure upon Individuals, much less upon a Community hitherto unimpeached in point of good Order ; or even to form any Judgment upon the Matter, until more Light shall appear than the Papers accompanying your Message afford. The House cannot easily conceive what should determine your Honor so particularly to recommend this Instance to the Consideration of the Assembly, while others of a much more heinous Nature and dangerous Tendency, have passed altogether unnoticed in your Message : Your having received the Information while the General Court is sitting, cannot alter its Nature and Importance, or render it more or less necessary to be considered by the Legislature : The Instance, admitting it to be truly represented in all its aggravating Circumstances, certainly cannot be more threatening to Government than those Enormities which have been notoriously committed by the Soldiery of late ; and in many Instances have strangely escaped Punishment, tho’ repeated more than a second Time, and in Defiance of the Laws and Authority of Government.

A military Force, if posted among the People, without their express Consent, is itself one of the greatest Grievances, and threatens the total Subversion of a free Constitution : Much more, if designed to execute a System of corrupt and arbitrary Power, and even to exterminate the Liberties of the Country. The Bill of Rights pass’d immediately after the Revolution, expressly declares, that “ the raising and keeping a Standing Army, within the Kingdom in a Time of Peace, without the Consent of Parliament, is against Law ” : And we take this Occasion to say with Freedom, that the raising and keeping a Standing Army within this Province, in a Time of Peace, without the Consent of the General Assembly, is equally against Law. Yet we have seen a Standing Army procured, posted and kept within this Province, in a Time of profound Peace, not only without the Consent of the People, but against the Remonstrance of both Houses of Assembly ! Such a Standing Army must be design’d to subjugate the People to arbitrary Measures : It is a most violent Infraction of their natural and constitutional Rights : It is an unlawful Assembly of all others the most dangerous and alarming : And every Instance of its actually restraining the Liberty of any Individual, is a Crime which infinitely exceeds what the Law intends by a Riot. Surely then, your Honor cannot think this House can descend to the Consideration of Matters comparatively trifling, while the Capital of the Province has so lately been in a State of actual Imprisonment, and the Government itself is under Duress.

The fatal Effects which will forever attend the keeping a Standing Army within a civil Government, have been severely felt in this Province : They landed in an hostile Manner, and with all the Emblems of Triumph : And your Honor must well remember  
that



that they early invested the Manufactory-House in *Boston*; a capacious Building, occupied by a Number of Families, whom they besieged and imprison'd. The extraordinary Endeavors of the Chief Justice of the Province, to procure the Admission of Troops into that House, in a Manner plainly against Law, will not easily be eras'd from the Minds of this People: Surely your Honor could not be so fond of a military Establishment, as willingly to interpose in a Matter which might possibly come before you as a Judge: To what else can such astonishing Conduct be imputed unless to a sudden Surprise & the Terror of military Power in the Chief Justice of the Province, which evidently appear'd to have also arrested the inferior Magistrate.

We shall not enlarge on the multiplied Outrages committed by this unlawful Assembly: In frequently assaulting his Majesty's peaceable and loyal subjects; in beating and wounding the Magistrate when in the Execution of his Office; in rescuing Prisoners out of the Hand of Justice; and finally, in perpetrating the most horrid Slaughter of a Number of Inhabitants, but a few Days before the Sitting of this Assembly, which your Honor must undoubtedly have heard of. But, not the least Notice of these outrageous Offences has been taken; nor can we find the most distant Hint of the late inhuman and barbarous Action, either in your Speech at the Opening of the present Session, or even in this Message to both Houses. These Violences so frequently committed, added to the most rigorous and oppressive Prosecutions carried on by the Officers of the Crown against the Subjects, grounded upon unconstitutional Acts, and in the Court of Admiralty, uncontroll'd by the Courts of common Law, have been justly alarming to the people. The Disorder which your Honor so earnestly recommends to the Consideration of the Assembly, very probably took its Rise from such Provocations: The Use therefore which we shall make of the Information in your Message, shall be to enquire into the Grounds of the Peoples Uneasiness, and to seek a radical Redress of their Grievances. Indeed it is natural to expect, that while the Terror of Arms continues in the Province, the Laws will be in some degree silent: But, when the Channels of Justice shall be again opened, and the Law can be heard, the Person who has complained to your Honor, if he has truly represented his Case, will have his Remedy. We yet entertain Hopes that the Military Power so grievous to the People, will soon be removed from the Province, to Stations where it may better answer the Design for which it was originally rais'd. Till then, we have nothing to expect but that Tyranny and Confusion will still prevail, in Defiance of the Laws of the Land, and the just and constitutional Authority of Government.

We cannot avoid before we conclude, to express the deepest Concern, that while the People are loudly complaining of intolerable Grievances, the General Assembly itself has just Reason to remonstrate a violent and repeated Infringement of *their own* Constitutional Rights: In Order to avoid the most flagrant Impropriety of its being kept in a garrisoned Town, it was the last  
Session



Session as it were, driven from its ancient and legal Seat; and even now it is held in this Place at a Distance from its Offices and Records, and subject to the greatest Inconveniencies, without any Necessity that we can conceive or the least apparent Reason. These alarming Considerations have awakene'd and fix'd our Attention; and your Honor cannot think we can very particularly attend to Things of lesser Moment, within the Jurisdiction of the Executive Courts, at a Time when in Faithfulness to our Constituents, our Minds are necessarily employed in Matters which concern the very Being of the Constitution.

An engross'd Bill *for granting the Sum of Five Hundred and Fifty Pounds for the Support of his Honor the Lieutenant Governor.* Bills read.

Read, and pass'd to be enacted.

An engross'd Bill *to erect the District of Westminster into a Town by the Name of Westminster.*

Read and pass'd to be enacted.

An engross'd Bill *for reviving and continuing sundry Laws expired or near expiring.*

Read and pass'd to be enacted.

An engross'd Bill *in Addition to an Act for preventing the Obstruction of Fish in their Course up Monatiquot River in Braintree.*

Read and pass'd to be enacted.

A Bill *for punishing Burglary, and for repealing an Act for the punishing Burglary.*

Read the second and third Time, and pass'd to be engross'd.

The Committee appointed to enquire into the Services of the Commissary-General, reported. Report on  
Commissary-  
General's Ser-  
vices.

Read and accepted, and Ordered, That the Sum of One Hundred and fifty Pounds be granted and allowed to be paid out of the publick Treasury, to the honorable Thomas Hubbard, Esq; Commissary-General, in full for his past Services.

Sent up for Concurrence.

Upon a Motion, Ordered, That the further Consideration of the Petition of Col. *Worthington*, in Behalf of *Samuel Hitchcock*, &c. and also of the Petition of *Samuel Heyden*, be referred to the next May Session.

A Petition of *Harrison Gray*, Esq; Treasurer and Receiver-General, praying for further Allowance for his extraordinary Services. Petition of  
H. Gray, Esq;

Read and committed to Brigadier *Ruggles*, Col. *Williams* of *Roxbury*, and Mr. *Spooner*.—The said Committee are instructed to enquire into the extra Services of the Treasurer, and report.

A Petition of *Andrew Oliver*, Esq; Secretary of the Province, praying for a Grant to enable him to pay for needful Assistance in his Office. Petition of  
A. Oliver, Esq;

Read and committed to Mr. *Gardner* of *Stow*, Mr. *Nye*, and Mr. *Durfee*; the said Committee to enquire into the extra Services of the Secretary, and report.

Ordered, That the Report on the Petition of Mr. *Mollineux* be considered To-morrow at Ten o'Clock.

X x

The

The Order of Council on the Petition of *Richard King*, brought down and enter'd on Saturday last.

Read and concurr'd with Amendments.

Sent up for Concurrence.

Then the House adjourn'd till To Morrow Morning Nine o'Clock.

MARTIS, 24 *Die Aprilis*, A. D. 1770.

¶ *Amuel Dexter*, Esq; came down from the honorable Board to propose an Amendment on an engros'd Bill for empowering the Trustees of the Estates of conceal'd and absconding Debtors, to compleat the Business assign'd them.

And also an Amendment on another engros'd Bill for empowering the Town of *Newbury* to raise Money. And laid the Bills on the Table.

The House taking the said propos'd Amendments into Consideration, *Ordered*, That *Col. Williams* of *Roxbury*, carry the Bills up to the honorable Board, and acquaint them, that the House do concur with the Board in the propos'd Amendments.

Who return'd that he had deliver'd the Message.

Report on  
Petition of  
*D. Phips*, Esq;

The Committee on the Petition of *David Phips*, Esq; and others, reported.

Read and accepted, and *Resolved*, That there be granted to *David Phips*, Esq; and others, mention'd in the Petition, a Township of the Contents of six and three Quarter Miles square, to be laid out, adjoining to some other Grant, in the unappropriated Lands of this Province to the Eastward of *Saco River*: *Provided*, the Grantees within seven Years shall settle Eighty Families in said Township, build an House for the public Worship of God, and settle a learned Protestant Minister, and lay out one eighty-fourth Part for the first settled Minister; one eighty-fourth Part for the Ministry; one eighty-fourth Part for the Use of a School in said Township; and one eighty-fourth Part for the Use of *Harvard-College* forever: *Provided also*, that they return a Plan thereof taken by a Surveyor and Chainman under Oath into the Secretary's Office in twelve Months.

Sent up for Concurrence.

Report on  
Petition of  
*J. Fuller*.

The Committee on the Petition of *Capt. Joshua Fuller*, reported.

Read and accepted, and *Resolved*, That there be granted to *Capt. Joshua Fuller*, and others, mention'd in the Petition, a Township of the Contents of six and one Quarter Miles square; to be laid out adjoining to some other Grant, in the unappropriated Lands in this Province to the Eastward of *Saco River*: *Provided*, the Grantees within seven Years settle Sixty Families in said Township; build an House for the public Worship of God, and settle a learned Protestant Minister, and lay out one sixty-fourth Part for the first settled Minister, one sixty-fourth Part for the Ministry, one sixty-fourth Part for the Use of a School in said Township, and one sixty-fourth Part for

for the Use of *Harvard-College* forever. *Provided also*, that they return a Plan taken by a Surveyor and Chainmen under Oath, into the Secretary's Office within twelve Months for Confirmation.

Sent up for Concurrence.

The Speaker communicated to the House a Letter from Mr. *DeBerdt*, dated *March 7, 1770*. Letter from  
Mr. *DeBerdt*.

Read and committed, with the Papers, to the Committee appointed to consider Mr. *DeBerdt's* Letters.

The Committee appointed to consider the Accounts of a Committee appointed in *June 1768*, to view and appraise the Township No. 7, by Order of the House of Representatives the 17th *June 1768*, reported. Resolve relating to Town-  
ship No. 7.

Read and accepted, and *Resolved*, That there be allow'd and paid out of the Public Treasury to Capt. *Joseph Root*, the Sum of *Two Pounds and ten Pence*; to *Jedediah Foster*, Esq; the Sum of *Three Pounds twelve Shillings*; and to *John Whitcomb*, Esq; the Sum of *Three Pounds twelve Shillings*; in full of their respective Accounts for their Service in viewing and appraising Township No. 7, by Order of the House of Representatives, *June 17, 1768*.

Sent up for Concurrence.

The Committee appointed to repair to the Manufactory House belonging to the Province in the Town of *Boston*, and report what Parts thereof may be assign'd to *William Mollineux*, and *Elisba* and *John Brown*, who have petitioned for the Use of the same, reported. Report relating  
to the Mann-  
factory-House.

The said Report was read, and the House again consider'd the Reports of the Committee upon their several Petitions.

Then the Petitions, with the Reports, were recommitted, and Major *Gallison* was added to the Committee.

Upon a Motion, *Ordered*, That Capt. *Clay* be of the Committee on the Petition of *Seth Kingsberry*, in the Room of Mr. *Leonard* who is absent.

Upon a Motion, *Ordered*, That Mr. *Gardner* of *Stow*, and Major *Hawley*, be of the Committee on the Petition of *Henry Young Brown*, in the Room of Col. *Otis* and Brigadier *Prebble*, who are absent.

Upon a Motion, *Ordered*, That Mr. *Hancock*, Capt. *Fuller* and Capt. *Denny*, enquire to what Time *Dennys DeBerdt*, Esq; has been paid for his Services as Agent of the House, and report.

A Bill to prevent the killing of wild Pidgeons at certain Seasons of the Year.

Read the first Time, and

Bill read.

*Ordered*, That the Bill be read again at Five o'Clock.

A Petition of *Israel Williams*, Esq; and others, praying that there may be an Alteration of the Time and Places of holding the several Superior Courts in the County of *Hampshire*, for the Counties of *Hampshire* and *Berkshire*, and the Court of General Sessions of the Peace and Court of Common Pleas for and within the County of *Hampshire*. Petition of  
*I. Williams*, Esq

Read and *Ordered*, That Col. *Williams* of *Hatfield*, bring in a Resolve for the Purpose of this Petition.



Petition of  
Inhabitants of  
Marblehead.

A Petition of the Inhabitants of *Marblehead*, praying that this Court would take into Consideration the distress'd Circumstances of a great Number of Widows in said Town, whose Husbands and Sons perish'd by Shipwreck, and afford them Relief.

Read and *Ordered*, That Mr. *Phillips*, Mr. *Hall*, and Col. *Williams* of *Roxbury*, consider the Petition and report.

Petition of  
*John Asbley*, Esq.

A Petition of *John Asbley*, Esq; praying for the Establishment of another Term for holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of *Berkshire*, and for altering the Times and Places by Law appointed for holding said Courts in said County.

Read and *Ordered*, That Col. *Asbley* bring in a Resolve for the Purpose of this Petition.

## *Post-Meridiem.*

Secretary directed.

Upon a Motion, *Ordered*. That the Secretary be directed to lay on the Table the Petition of the Inhabitants of *Pownalborough*, praying to be divided into two Parishes.

Report on  
Petition of  
*A. Oliver*, Esq;

The Committee on the Petition of *Andrew Oliver*, Esq; Secretary, enter'd Yesterday, reported.

Read and re-committed; the Committee to enquire into the Perquisites of the Secretary's Office.

The Secretary according to Order, laid on the Table the Petition of *Jonathan Williams*, and others, in Behalf of the Town of *Pownalborough*.

Read and revived, and committed to Col. *Williams* of *Roxbury*, Mr. *Gardner*, and Mr. *Remington*.

Report on  
Petition of  
*John Cotton*.

The Committee on the Petition of *John Cotton*, reported.

Read and accepted, and *Resolved*, That the Prayer be granted so far, as that upon his paying to the Province Treasurer the Sum of *four Hundred and fifty Pounds*, on or before the tenth Day of *June* next ensuing, he the said *John Cotton* be and is fully discharged of the Bond he gave to the Province Treasurer in the Year 1764, with Regard to a Purchase he made in said Year of the Excise on Tea, Coffee, &c. for the County of *Suffolk*, and of any Sum that might be thereby demanded of him or Surety by Virtue thereof: And upon his so doing, the Province Treasurer for the Time being is directed to deliver up or discharge him from said Bond, or any Judgment that has been recovered thereon in any Court whatever.

Sent up for Concurrence.

Report on  
Petition of  
Capt. *J. Mellen*.

The Committee on the Petition of Capt. *Joseph Mellen*, in Behalf of the Town of *Hopkinton*, reported.

Read, debated and not accepted.

It was mov'd to dismiss the Petition; and the Question pass'd in the Negative.

Then the Petitioner had Leave to withdraw the Petition.

Then the House adjourn'd 'till To-Morrow Morning Nine o'Clock.

MERCURI, Die 25 Aprilis, A. D. 1770.

THE Committee on the Petition of *Bela Lincoln*, reported. Report on  
Petition of  
*Bela Lincoln*.  
 Read and accepted, and *Resolved*, That the Prayer of  
 this Petition be so far granted, as that the Court of General  
 Sessions of the Peace, next to be holden in and for the County of  
*Worcester*, be and hereby is empowered, upon Application made to  
 them by the Petitioner, to appoint a Jury to estimate the Damages  
 by him sustain'd, by the Road's being laid through his Land; the  
 Time by Law for such Application being elapsed notwithstanding.

Sent up for Concurrence.

The Committee on the Petition of *Andrew Oliver*, Esq; Secretary  
 of the Province, reported.

*Resolved*, That there be granted and allowed to be paid out of  
 the public Treasury, to the honorable *Andrew Oliver*, Esq; Secretary  
 of the Province, the Sum of *One Hundred Pounds*, to enable  
 him to hire Assistance in his Office. Report on  
Petition of  
*A. Oliver*, Esq;

Sent up for Concurrence.

Col. *Williams*, by Order, brought in the following Resolve, on  
 the Petition of sundry Persons of the County of *Hampshire*, and  
 laid it on the Table. Resolve on  
Petition of  
sundry Persons  
in *Hampshire*  
County.

Read and accepted, and *Resolved*, That the Sheriffs of the Counties  
 of *Hampshire* and *Berkshire*, notify the several Towns within their  
 respective Counties of said Petition, by posting up true and attested  
 Copies thereof, and of this Order, in some public Place at *Spring-*  
*field* and *Northampton*, in the County of *Hampshire*; and also  
*Great-Barrington* and *Pittsfield*, in the County of *Berkshire*; And  
 shall also send Notifications in Writing to the Selectmen of all and  
 each of the other Towns within said Counties; therein informing  
 them of the Substance of the Petition, and notifying them to shew  
 Cause, if any they have, on the third Wednesday of the next Session  
 of the General Assembly, wherefore the Establishment therein pray-  
 ed for should not be made.

And it is further *Resolved*, and *Ordered*, That a proper Recom-  
 pence be made to the said Sheriffs out of the Treasuries of the  
 respective Counties as shall be ordered by the several Courts of Ge-  
 neral Sessions of the Peace within said Counties respectively.

Sent up for Concurrence.

Col. *Ashley*, by Order, brought in the following Resolve, and  
 laid it on the Table. Resolve  
bro't in.

Read and accepted, viz. *Resolved*, That the Sheriff of the County  
 of *Berkshire* notify the Inhabitants of said County, of the Prayer  
 of said Petition, by posting up attested Copies of said Petition, and  
 of this Order, in some public Place in the Towns of *Great-Bar-*  
*rington* and *Pittsfield*; and that they shew their Reasons, if any  
 they have, on the third Wednesday of the next Sitting of the General  
 Court, wherefore the Prayer thereof should not be granted.

Sent up for Concurrence.

The Committee on the Petition of *Henry Young Brown*, reported.  
*Ordered*, That the said Committee bring in a Resolve accordingly.

Y y

The

Report on  
Petition of  
*W. Mollineux,*  
&c.

The Committee on the Petition of *William Mollineux*, and *John Brown*, reported.

Read, and accepted in Part, so far as respected the leasing the Manufactory House in *Boston*, to the Petitioners, for the Purposes of their Petition.

*Ordered*, That this Report be further considered in the Afternoon.

Report on  
Petition of  
second Precinct  
in *Hingham*.

*James Pitts*, Esq; brought down the Petition of the second Precinct in *Hingham*, with a Report.

Signed, *John Bradbury*, per Order.

Pas'd in Council, viz. In Council *April 25, 1770.*

Read and accepted, and *Ordered*, That the Petitioners have Liberty to bring in a Bill accordingly ; and that the Charge of the Committee, amounting to *four Pounds seventeen Shillings*, be paid by the whole of the present Inhabitants of *Hingham*, agreeable to the foregoing Report.

Sent down for Concurrence. Read and concur'd.

Report on  
Petition of  
*H. Gray*, Esq;

The Committee on the Petition of *Harrison Gray*, Esq; Treasurer of the Province, reported.

*Resolved*, That the Sum of *One Hundred and thirty-three Pounds* be granted and allowed to be paid out of the public Treasury, to the honorable *Harrison Gray*, Esq; Treasurer of this Province, for his extraordinary Services in said Office.

Sent up for Concurrence.

Petition of  
*S. Kingsberry*  
bro't down.

*Royal Tyler*, Esq; brought down the Petition of *Seth Kingsberry*, with a Report,

Signed *John Bradbury*, per Order.

Pas'd in Council, viz. In Council, *April 25, 1770.*

Read and accepted, and *Ordered*, That the Petitioner, *Seth Kingsberry*, be allowed a Rehearing of the Action mention'd in the Petition : And the Justices of the Superior Court of Judicature, &c. are hereby authorized and empowered at their next Term at *Boston*, in and for the County of *Suffolk*, on the last Tuesday in *August* next, to hear and try said Action, make up Judgment, and award Execution accordingly.

Sent down for Concurrence.

Read and concur'd.

Secretary directed.

It was mov'd that the Secretary be directed to attend the House.

The Secretary attended, and being asked whether the List of Civil Officers had been laid before his Honor the Lieutenant-Governor ; and whether his Honor had acted thereupon ?

The Secretary acquainted the House that the List of Civil Officers had been laid before his Honor, and that he had approv'd of every Choice but that of a Commissary General.

Then the Secretary withdrew.

## Post-Meridiem.

It was moved, That the Question be put, *Whether the House will proceed to the Choice of a Commissary-General in the Room of Thomas Cushing, Esq; elected by the two Houses, and disapproved by his Honor the Lieutenant-Governor.*

*Resolved*,



*Resolved*, That the House will proceed to the Choice of a Commissary at Five o'Clock, by joint Ballot with the honorable Board ; and *Ordered*, That Mr. *Hancock* go up to the honorable Board, to desire they would concur therein.

*Ordered*, That Mr. *Gardner* of *Stow*, be of the Committee to make up the Pay Roll, in the Room of Major *Humphrey* absent ; and the said Committee are directed to report as soon as may be. Bill read.

An engross'd Bill for punishing Burglary, and repealing one Act for the punishing Burglary.

Read and pass'd to be enacted.

*Isaac Royall*, Esq; came down and acquainted the House that the honorable Board concurred in the Vote of this House to proceed to the Choice of a Commissary General at Five o'Clock this After-noon.

A Bill to prevent the killing of Wild Pidgeons at certain Seasons of the Year. Bill read.

Read a second Time, and *Ordered*, That the further Consideration of the Bill be referred to the next Session of the General Assembly.

The House proceeded to the further Consideration of the Report of the Committee on the Petition of *William Mollineux*, and *John Brown*, and the Question being put, *Whether the House accept that Part of the Report which respects a Grant of Money to the Petitioner William Mollineux ?* It pass in the Negative.

It was then mov'd that the Consideration of the Petition so far as respects a Grant of Money for the Purposes thereof be referr'd to the next May Session ; and the Question being put, pass'd in the Affirmative.

The Committee on the Petition of *Jonathan Williams*, and others, reported that the Town of *Pownalborough* be and hereby is divided into two Parishes, by a Line running from the South to the North Line of said Town, parallel to the general Course of *Kennebeck* River adjoining said Town, so as to leave two Thirds of the Land in said Town on the East Side of said dividing Line for a Parish, by the Name of *East-Parish*, and one third Part of the Land in said Town on the West-Side of said dividing Line, for a Parish by the Name of the *West Parish*, to be invested with all Powers, Privileges and Immunities, that other Parishes within this Province do enjoy.

Upon a Motion, *Ordered*, That Mr. *Hancock*, Col. *Bowers*, and Mr. *Gardner* of *Cambridge*, be a Committee to count and sort the Votes for a Commissary General.

*Isaac Royall*, Esq; brought down a Bill for incorporating the second Precinct in *Hingham* into a District. Report on Petition of J. Williams &c.

Pass'd in Council, viz. In Council, April 25, 1770.

Read a first and second Time, and pass'd to be enacted.

Sent down for Concurrence.

Read a first, second, and third Time, and then committed to *Brigadier Ruggles* for Amendment.

The Committee on the Petition of the Inhabitants of *Marblehead*, reported. Report on Petition of Inhabitants of Marblehead.

Read *Marblehead*.

Read and accepted, *Resolved*, That the Prayer be so far granted as that the honorable THOMAS HUTCHINSON, Esq; Lieutenant-Governor and Commander in Chief, be and hereby is desired to issue a Brief to the several Congregations in the Province, requesting all charitable and well-disposed Persons to contribute for the Relief of such poor Widows and Fatherless Children in the Town of *Marblehead*, as are mentioned in the Petition. The Money so collected to be delivered to the Committee chosen by said Town to receive and dispose of the same, in such Manner as they shall judge will best answer the Purposes of the Petition.

Sent up for Concurrence.

The Vote of the House of Yesterday, passing a Concurrence with the Order of Council on the Petition of *Seth Kingsberry*, reconsidered, and the Petition and Order committed to Brigadier *Ruggles*, and Mr. *Leonard*.

The said Committee reported. Read and accepted, and then the Order of Council was concurr'd with Amendment.

Sent up for Concurrence.

Bill read.

A Bill for incorporating the second Precinct in the Town of *Hingham*.

Read again with Amendments, and pass'd to be engross'd.

Upon a Motion, *Ordered*, That the Bill relating to High Ways, be refer'd to next Session.

The Committee on the Petition of *Henry Young Brown*, reported.

Report on  
Petition of  
*H. Y. Brown.*

Read and accepted, and *Resolved*, That there be granted to Capt. *Henry Young Brown*, Eleven Thousand Acres of Land, to be laid out in the unappropriated Lands within this Province to the Eastward of *Saco* River, and adjoining to a Grant of Eight Thousand five Hundred and forty-four Acres granted to the said Capt. *Brown* in 1766, to extend on said River including the Grant aforesaid not exceeding seven Miles, and so to extend back from said River and on the back of the Grant aforesaid, so far as to complete the Eleven Thousand Acres aforesaid, and that the said Capt. *Brown* return a Plan of this last Grant taken by a Surveyor and Chainmen on Oath in twelve Months to this General Court for Confirmation. And that the said *Henry Young Brown* give Security for the settling the said Lands now granted, and for performing the same Conditions required in the first Grant for Sale of a Township to him the said *Brown* in 1764; which Grant of Eleven Thousand Acres aforesaid is considered by this Court in full Consideration of all the Demand that the said *Henry Young Brown* has against this Province for the Loss of Lands, occasioned by the disputed Lines between this Province and the Province of *New-Hampshire*, and that the said *Brown* give the Government a Quitclaim for all the Lands included in the Township sold him by this Government in 1764, that are between *Warren* and *Begant's* Lines, excepting twenty-two Hundred Acres already sold to sundry Persons; also one Hundred Acres taken out of his own Farm; and this last Grant be also considered in full Consideration of all Costs and Charges the said *Brown* already has been at or may be put to by Reason of the disputed Lines aforesaid, and that the said *Brown* give this Government a Discharge in full.



full for the same. Also *Resolved*, That the Treasurer of the Province be directed to give up to *Henry Young Brown*, his Bond for *Two Hundred Pounds* dated 1764, being the Purchase Consideration of the Township aforesaid, and in Lieu thereof the said *Brown* do give a new Bond to the Treasurer aforesaid, for the Use of the Province, for *Two Hundred Pounds*, with sufficient Sureties, to be drawn the 5th of *May* next, payable in one Year, with Lawful Interest, which Bond when paid shall be in full Consideration for all the Grants aforesaid. Sent up for Concurrence.

Then the House adjourn'd till To Morrow Morning Nine o'Clock.

Jovis, 26 Die Aprilis, A. D. 1770.

THE Committee on the Petition of *Norton Quincy*, reported. Read and accepted, and *Resolved*, That the Prayer be granted, and that the Petitioner be empowered as Guardian, to make Sale of all the Real Estate of the said Infant, and to make and execute a good Deed or Deeds thereof; he observing the Rules of the Law for the Sale of Real Estates by Executors and Administrators, and giving Caution to the Judge of Probate for the County of *Suffolk*, that the Money be apply'd for the giving the said Infant a liberal Education; and the Overplus, if any, be paid with the Interest thereof to the said Infant, when he shall arrive at lawful Age.

Report on  
Petition of  
*Norton Quincy*.

Sent up for Concurrence.

*Ordered*, That the Petition of *Ebenezer Mason*, be referred for Consideration to the next Session of the General Court.

The Report on the Petition of *Jonathan Williamson*, and others, enter'd Yesterday.

Read and accepted.

Sent up for Concurrence.

The Committee on the Petition of *Timothy Fuller*, reported.

Report on  
Petition of  
*Tim. Fuller*.

Read and *Ordered*, That the Petition be dismiss'd.

The Committee appointed to enquire to what Time the last Grant was made to the Agent *DeBerdt*, reported that Grants had been made to the said Agent for his Services to *November 1767*.

Grant to Mr.  
Agent *DeBerdt*

*Resolved*, That the Sum of *Six Hundred Pounds* be allowed and paid to *Dennys De Berdt*, Esq; in full for his Services from *November 1767*, to *November 1769*. Sent up for Concurrence.

*Ordered*, That the Speaker inform Mr. *DeBerdt* that an Account of his Expences is expected by the House.

*James Pitts*, Esq; informed the House that they were ready to proceed to the Choice of a Commissary General, as propos'd by the House.

Then the House proceeded to bring in their Votes for a Commissary-General, and the Committee appointed, having sorted and counted the same, and carried them up to the honorable Board, returned and made Report that *Edward Sheaffe*, Esq; was chosen.

Commissary  
chosen.

The Committee on the Petition of *John Thomas*, Esq; reported.

Read and accepted, and *Resolved*, That there be granted and paid out of the publick Treasury unto *John Thomas*, Esq; the Sum

Report on  
Petition of  
*John Thomas*.



of *Sixty Pounds*, in full Consideration for his Services as Keeper of the Light-House on the *Gurnet*, for one Year ending the 14th of *November* last. Also the Sum of *Thirty-nine Pounds one Shilling* for Fire Wood and Coal expended at said Light-House, twenty Cord of said Wood being purchas'd the 9th of *October*, may serve for the most of the present Year agreeable to the annex'd Account.

Sent up for Concurrence.

Votes of Council  
bro't down.

A Vote of Council of the 19th Instant, on the Petition of *Benjamin Cudworth*, bro't down from the honorable Board.

Read and concurr'd.

A Vote of Council on the Petition of *James Kirkwood*, brought down from the honorable Board.

Read and concurr'd.

Bills read.

A Bill for punishing Rogues, &c. bro't down.

Concurr'd by the Board with Amendments.

Read and concurr'd.

An Engros'd Bill for incorporating the second Precinct in the Town of Hingham, into a Town, by the Name of —.

Read and pass'd to be enacted.

Report on  
Petition of  
*S. Dexter, E.*  
*Sheaffe, &c.*

The Committee on the Petition of *Samuel Dexter, Esq;* Capt. *Edward Sheaffe*, and Major *James Humphrey*, reported.

Ordered, That this Petition and Report be referred for Consideration to *May Session*.

The Committee on the Petition of *Edward Sheaffe, Esq;* reported.

Ordered, That the same be referr'd to next Session, agreeable to the Report of the Committee.

The Vote of Council on the Report of the Committee on the Petition of the District of *Ware*.

Read and concurr'd, and the Petition dismiss'd accordingly.

Upon a Motion, Ordered, That all Matters having had Day in the present Session of this Court, and not acted upon, have the same Day in the next Session of the General Assembly.

Sent up for Concurrence.

List of Attendance.

The Committee appointed to bring in a List of the Attendance and Pay of the Members of this House, reported.

Read and allowed by the House, and Ordered, That the Clerk certify the same accordingly.

## Post-Meridiem.

Petition of  
*W. Mollineux*  
bro't down.

The Petition of *William Mollineux*, brought down from the honorable Board.

Pass'd in Council, viz. In Council *April 26, 1770.*

Read and concurr'd with Amendment.

Sent down for Concurrence.

Read and non-concurr'd, and the House adhere to their own Vote.

Sent up.

Petition of  
*S. Kingsberry*  
bro't down.

The Petition of *Seth Kingsberry*, brought down from the honorable Board. Pass'd in Council, viz. In Council *April 26, 1770.*

Read and concurr'd with Amendment.

Sent down for Concurrence. Read and concurr'd.

*Royall*

*Royall Tyler, Esq;* brought down the Petition of *William Mollineux*.

Pass'd in Council, viz. In Council *April: 26, 1770.*

Read, and the Board adhere to their own Vote.

Sent down for Concurrence. Read and concurr'd.

Upon a Motion made, the following Resolve pass'd, viz.

*Whereas by an Act of Parliament a Duty is laid on Foreign Teas imported into this Province, with the express Purpose of raising a Revenue upon his Majesty's Subjects here without their Consent; upon which Account the Use and Consumption of Foreign Teas is become prejudicial to the true Interest of the Province:*

*Resolved*, That the Members of this House will use their utmost Endeavors to prevent the Use and Consumption thereof in the several Towns to which they belong.

An engross'd Bill for punishing Rogues, &c.

Bill read.

Read and pass'd to be enacted.

Upon a Motion, *Ordered*, That *Mr. Gardner of Stow, Mr. Hall, and Capt. Darby*, consider the Accounts of a Committee appointed to view *Ipswich River*, now presented for Allowance; the said Committee reported.

Read and accepted, and *Resolved*, That the Sum of Five Pounds seventeen Shillings, be allowed and paid out of the public Treasury in full Discharge of the annex'd Account, to the following Persons, viz.

Grant to the Committee appointed to view *Ipswich River*.

To the Honorable *William Brattle, Esq;* One Pound eighteen Shillings.

To *Joseph Gerrish, Esq;* One Pound thirteen Shillings.

To *Samuel Phillips, Esq;* One Pound.

To *Joseph Fry, Esq;* One Pound six Shillings.

And that the said Sum be laid on the Towns of *Ipswich, Middleton, Reading, Boxford and Danvers*, in the next Tax Act, in Proportion as the Province Tax is laid.

Sent up for Concurrence.

*Samuel Dexter, Esq;* brought down the Petition of *Elizabeth Johnson*, to propose an Amendment, and laid the same on the Table.

Petition of *E. Johnson* bro't down.

*Ordered*, That *Mr. Sanders* go up to the honorable Board to acquaint them that the House have considered the propos'd Amendment, and agree to the same.

Messages to & from the Board.

Who returned he had delivered the Message.

Upon a Motion, *Ordered*, That *Mr. Phillips* go up to the honorable Board, and desire they would send down the engross'd Bill for incorporating the second Precinct of *Hingham* into a Town.

Who returned he had delivered the Message.

Upon a Motion, *Ordered*, That *Capt. Sheaffe* go up to the honorable Board, to enquire whether they have pass'd upon a Grant of this House of the Sum of Six Hundred Pounds, to *Dennys De Berdt, Esq;*

Who returned he had delivered the Message.

*James Russell, Esq;* came down to acquaint the House, that the Board have not pass'd upon the Grant of Six Hundred Pounds to *Dennys De Berdt, Esq;*

Upon



Upon a Motion, *Ordered*, That a Committee be appointed to be joined by the honorable Board, to take all legal Measures to remove from the Manufactory House in *Boston* belonging to the Province, such Persons as they may think proper, and lease the same for the Benefit of the Province not exceeding seven Years, and Mr. Speaker and Capt. *Sheaffe* were appointed by the House.

Sent up for Concurrence.

*Ordered*, That Mr. *Hancock* go up to the honorable Board to desire they would pass upon the Grant of this House to Mr. *De Berdt*. Who returned he had delivered the Message.

*Ordered*, That the Secretary be directed to attend this House.

Upon a Motion, *Ordered*, That Col. *Williams* of *Roxbury* go up to the honorable Board, to desire they would send down the Report of the Committee on the Petition of the second Precinct in *Hingham*.

Who returned that he had delivered the Message.

The House resum'd the Consideration of the Vote of Council on the Report of the Committee on the Petition of the second Precinct in *Hingham*, and concurr'd the same with Amendment.

The Secretary attended this House according to Order, and the Speaker asking him, *Whether the Vote of this House concur'd by the Board respecting the leasing the Manufactory House, has been laid before his Honor ; and whether he has consented to the same ?*

Who return'd that his Honor had declin'd giving his Consent.

Upon a Motion, *Ordered*, That Mr. Speaker, Mr. *Hancock*, and Mr. *Adams*, be and hereby are a Committee to take the Care of the Manufactory House in *Boston* belonging to the Province, and see that the same be improv'd to the best Advantage of the Province.

Upon the Report of the Committee appointed to see to the burning Government Securities.

*Ordered*, That the Treasurer be and hereby is discharged of said Sum of *one Hundred and thirty-six Thousand and fifty-two Pounds three Shillings and eight pence*.

Sent up for Concurrence.

Upon a Motion, *Ordered*, That Mr. *Hancock* go up to the honorable Board to acquaint them that this House have pass'd upon all Matters of a publick Nature, and to desire that the honorable Board would do the same, that this Court may have a Recess as soon as his Honor pleases.

*Isaac Royall*, Esq; came down to acquaint the House that the honorable Board had also finish'd all Business before them, and were ready for a Recess when his Honor pleases.

Upon a Motion, *Ordered*, That Mr. *Hancock*, Mr. *Adams*, Capt. *Sheaffe*, Capt. *Darby*, and Mr. *Hall*, do wait on his Honor the Lieutenant Governor, and acquaint him that the House have finish'd all Matters before them, and are desirous of a Recess as soon as his Honor shall please to order it.

Who returned and reported that they had delivered the Message to his Honor accordingly.



A Message from his Honor the Lieutenant-Governor by the Secretary, to acquaint the House, that his Honor had given his Assent to the following Bills, viz.

*An Act for granting the Sum of Five Hundred and Fifty Pounds for the Support of his Majesty's Lieutenant Governor.*

*An Act to empower the Inhabitants of the Town of Newbury-Port, belonging to the several religious Societies within the same, to raise Money for defraying ministerial and other necessary charges.*

*An Act for incorporating the second Precinct in Hingham into a District by the Name of Cohasset.*

*An Act in Addition to an Act made and passed in the Eleventh Year of the Reign of King William the Third, intituled an Act for suppressing and punishing of Rogues, Vagabonds and Common Beggars, and other lewd, idle and disorderly Persons, and setting the Poor to Work.*

*An Act to enable the Assessors of the Town of Winchendon to collect the Taxes granted on the Lands in the said Winchendon.*

*An Act to erect the North Precinct in the Town of Norton, in the County of Bristol, into a separate District, by the Name of Mansfield.*

*An Act for empowering the Trustees of the Estates of concealed or absconding Debtors, and all others concerned, to compleat the Business assigned them by an Act made and passed in the fifth Year of his present Majesty's Reign, intituled an Act for preventing Fraud in Debtors and for securing the Effects of insolvent Debtors for the Benefit of their Creditors, and by one other Act made in addition thereto in the same Year.*

*An Act in further Addition to an Act intituled an Act for making of Lands and Tenements liable to the Payment of Debts.*

*An Act for reviving and continuing sundry Laws that are expired and near expiring.*

*An Act for altering the Times for holding the Superior Court of Judicature, Court of Assize and General Goal Delivery, in the several Counties within the Province.*

*An Act for determining at what Times and Places the several Courts of General Sessions of the Peace, and Inferior Courts of Common Pleas shall be held within and for the several Counties of the Province for the future.*

*An Act to enable the Assessors of the Town of Ashburnham to collect the Taxes granted on the Lands in said Ashburnham.*

*An Act for effectually preventing the Currency of the Bills of Credit of Connecticut, Newhampshire and Rhode-Island, within this Province.*

*An Act for preventing and punishing Burglary, and for repealing one Act intituled, "An Act against Burglary."*

*An Act for confirming the Records and Proceedings of the New Plantation called Hartwood, in the County of Berkshire, and for enabling them to collect certain Taxes already assessed, and for empowering said Proprietors to hold a Meeting for ordering the Affairs of the Propriety.*

*An Act to erect the District of Westminster, in the County of Worcester, into a Town, by the Name of Westminster.*

*An Act for compleating the Collection of a Tax on the Non-resident Proprietors of Greenwich, in the County of Hampshire, by an Order of the General Court held at Boston on the Eleventh Day of February, A. D. One Thousand Seven Hundrea and Sixty-three.*

*An Act in addition to an Act made in the Twenty Third Year of the Reign of King George the Second, intituled, an Act to prevent any Person obstructing the Fish in their passing up into Monatiquot River, within the Town of Braintree.*

Then the Secretary read the following Message from his Honor the Lieutenant Governor, and laid it on the Table.

Gentlemen of the House of Representatives,

ON the 7th Instant I received a Letter from James Davis, Esq; a justice of peace for the county of Essex, informing me of a riot in the town of Gloucester, and of a high-handed and cruel assault and battery upon one Jesse Savil. This Letter was accompanied with a Petition from the said Jesse Savil, and another petition from several of the Inhabitants of Gloucester complaining of this riot, all which I laid before the Council for their advice---The Council being informed that some of the persons complained of had been convicted of the like Offence in June last, at the Superior Court held at Ipswich, advised me to lay the Papers before the House of Representatives. The Secretary carried them down, and I sent a short message to you at the same time. Had you passed over this message without any notice, or had you only signified to me that you thought the laws in being sufficient for preventing riots, you would have heard nothing more from me upon the subject. But under colour of answering my message you have sent me a long remonstrance, a very small part of which can with any propriety be said to be an answer to the message I sent you. You charge me with endeavoring, as Chief Justice in the year 1768, to procure the admission of troops into the manufactory house, in a manner plainly against law. This is a heavy charge, but it is highly injurious, and without the least foundation. As I am informed the clerk of the house has already furnished one of the Printers with a copy of your remonstrance, I am obliged in order to prevent or remove the obloquy which must otherwise lie upon me, to relate the circumstances of the affair you refer to. The Governor had for some days been endeavouring to prevail on the Council to join with him in providing quarters for the troops : at length the Council advised that a House belonging to the Province should be cleared, in part whereof one Mr. Brown remained a tenant at sufferance, and into other parts whereof certain persons, some of them of bad fame, had intruded. The Governor had been informed that these people had been instigated to keep possession of the House by force, notwithstanding the advice of Council. On Wednesday the 19th October, he desired me to go to the House and acquaint the People with the vote or advice of Council, and to warn them of the consequences of their refusal to conform to it, and he



he said he thought it probable they might be prevailed on to remove, and all further trouble would be prevented. The Sheriff was directed to attend me. I went and acquainted Mr. Brown with the determination of the Governor and Council, and told him that in my opinion they had the authority of government in the recess of the General Court, to direct in what manner the House should be improved, and advised and required him to remove without giving any further trouble; he replied that without a vote of the whole General Court he would not quit the House. I told him he made himself liable for the damage which might be caused by his refusal, and he and his abettors must answer for the consequences. I remember that two persons were in the House and whilst I was speaking to Mr. Brown came into the yard. One of these Persons, whose name I afterwards found to be Young, inserting himself in the business, I asked him what concern he had in the affair? his reply was, that he came there as a witness---Nothing material passed further, nor was any thing said of my appearing as Chief Justice. I returned to the Governor, and informed him of the refusal of the people to quit the House; and upon his asking my opinion what was the next proper step, I acquainted him that the Superior Court was to be held at Cambridge the Tuesday following, and that I thought it adviseable to let the affair rest, and I would then consult with the other Justices of the Court upon it. I supposed it would rest accordingly, and went the same day to my House in the country, where I remained until Friday, when I came again to Town, and then was first informed that the Sheriff had entered the House by force. I do not remember any sort of attempt by the Sheriff, to take possession of the House by force whilst I was present. Your message is drawn in such a manner, as to lead the reader to think that what you call the besieging and imprisoning these families in the manufactory-house, and my appearing there with the sheriff, were parts of one and the same action; and that the latter preceded the former. The least I can say is, that it was incautious and unkind in you to receive and suffer to be published for truth, upon such slight evidence, what most certainly is not true, and to charge me with illegality, when no part of my conduct upon that occasion was illegal, or in any degree unwarrantable or out of character.

Your examining into my actions before I came to the Chair, must raise a very strong presumption that you have nothing material to alledge against me since that time: for my non-attendance in not laying before you facts notorious thro'out the province, and into which a due enquiry was making in a regular way can never justly be imputed to me as a fault; and though you profess your dislike of sitting at Cambridge, yet when you consider that I can see nothing in the constitution of the government, nor in law to make it necessary for the court to meet at any one certain place, and that I know it is his Majesty's pleasure I should meet you at Cambridge, I flatter myself you will concur with me in  
 opinion,



opinion, that I am under obligations to hold the Court there ; especially if you attend to my commission, which has been published and is of record ; for in express words I am authorized and impowered to exercise and perform all and singular the powers & authorities contained in the commission to the governor, according to such instructions as are already sent, or hereafter shall from time to time be sent to him, or as I shall receive from his Majesty. Your exception therefore, if it has any grounds, ought to be made to the commission, and not to my acts in the due execution of it.

There are no other parts of your remonstrance which can with any propriety be applied to me ; they extend much farther to the authority of the King and of the Parliament. I am sure no advantage can arise from my engaging in a controversy with you upon those points. I have industriously avoided it. I have avoided giving you any occasion for it. I wish you had avoided seeking the occasion. It is incumbent on me to transmit this remonstrance to be laid before his Majesty when I transmit the other proceedings of the session : I shall do it without any Comment : It needs none.

Council-Chamber,  
Cambridge, April 26, 1770.

T. Hutchinson.

Whereupon the Secretary said, It is his Honor's Pleasure that this Great and General Court be now Dissolved, and it is Dissolved accordingly.











